

## PUBLIC HEARINGS

---

- 1. City School Board/Greensville County School Board – Term Expirations**
  - 2. Stormwater Management Ordinance Amendments**
- 

Councilman Harris presents Marva Dunn with a plaque recognizes her as the Virginia Sexual Assault and Domestic Violence Action Alliance Volunteer of the Year.

Mayor Adams presented a resolution in memory of John W. Barrows.

Emporia's City Council held a Public Hearing on Tuesday, December 4, 2012, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the session.

The following City Council members were present:

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

Others present: C. Butler Barrett, City Attorney  
Brian S. Thrower, City Manger  
Steven B. Hall, Assistant City Manager  
Tessie S. Wilkins, City Clerk  
Don Wyatt, Chief of Police  
Jan Harrell, Economic Development Manager  
Ken Ryals, Emergency Service Coordinator  
Royal Jones, Public Works Director

### **1. City School Board/Greensville County School Board – Term Expirations**

Mr. Thrower stated that a public hearing was being held concerning the terms of Ms. Janey V. Bush, on the City School Board and the Greensville County School Board, which are scheduled to expire on December 31, 2012. He also stated that Ms. Bush has indicated that she does wish to be considered for reappointment.

Mayor Adams asked if there was anyone who wished to make any comments regarding this matter.

**Ted Lee**, of 602 S. Oak Hill Drive, Emporia, Virginia nominated Janey V. Bush to serve on the City School Board and the Greensville County School Board.

**Janey V. Bush**, of 101 Tall Oaks Drive, Emporia, Virginia, stated that she wish to be reappointed to the City School Board and the Greensville County School Board.

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

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

## **2. Stormwater Management Ordinance Amendments**

Mr. Thrower stated that the proposed amendments serve to clarify that the City retains the authority to maintain existing ditches and driveway pipes located within the right of way in order to ensure adequate drainage flow and to minimize damage to surrounding property.

Mr. Thrower stated that the proposed amendments also clarify that the City will maintain existing manmade stormwater drainage systems or facilities (pipes, culverts, etc.) on private property that were previously constructed by the City which convey street drainage. He also stated that in some instances going back decades, it appears the City has not obtained easements from property owners when installation of such structures initially occurred. He further stated that it is in the City's best interest to maintain these existing manmade structures in order to ensure adequate conveyance of street drainage. He stated that in these circumstances, the City will obtain easement from the property owners(s).

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

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

---

Samuel W. Adams, III, Mayor

---

Tessie S. Wilkins, City Clerk



**MINUTES  
EMPORIA CITY COUNCIL  
CITY OF EMPORIA MUNICIPAL BUILDING  
December 4, 2012**

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

Emporia City Council held a regular meeting on Tuesday, December 4, 2012 at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the meeting with James C. Saunders, Council Member offering the invocation.

**ROLL CALL**

The following City Council members were present:

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

Others present:

Samuel W. Adams, III, Mayor  
Brian S. Thrower, City Manager  
C. Butler Barrett, City Attorney  
Steve B. Hall, Assistant City Manager  
Tessie S. Wilkins, City Clerk  
Don Wyatt, Chief of Police  
Jan Harrell, Economic Development Manager  
Ken Ryals, Emergency Service Coordinator  
Royal Jones, Public Works Director

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, November 20, 2012, Public Hearing and City Council Regular meeting minutes as presented, seconded by Councilman Saunders, which passed as follows:

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

## **AGENDA APPROVAL**

Mayor Adams reported the addition of **Item 12-108 – Water Bill Code Amendments – Request to Conduct a Public Hearing.**

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

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

## **UNFINISHED BUSINESS**

### ***12-98. Boards and Commissions – Unexpired Terms (John W. Barrows)***

Mayor Adams stated that this item was to be continued at the December 18, 2012 City Council Regular meeting.

### ***12-99. Farmers Market Advisory Board Expirations – Bill Howell/Samuel Adams, III***

Mayor Adams stated that this item was to be continued at the December 18, 2012 City Council Regular meeting.

## **NEW BUSINESS**

### ***12-100. City School Board/Greenville County School Board – Term Expirations***

Mr. Thrower stated that a Public Hearing was held concerning the terms of Ms. Janey V. Bush, on the City School Board and the Greenville County School Board, which are scheduled to expire on December 31, 2012. He also stated that Ms. Bush has indicated that she does wish to be considered for reappointment.

No formal action taken.

***12-101. Stormwater Management Ordinance – Request to Approve Amendments***

Mr. Thrower stated that the proposed amendments serve to clarify that the City retains the authority to maintain existing ditches and driveway pipes located within the right of way in order to ensure adequate drainage flow and to minimize damage to surrounding property.

Mr. Thrower stated that the proposed amendments also clarify that the City will maintain existing manmade stormwater drainage systems or facilities (pipes, culverts, etc.) on private property that were previously constructed by the City which convey street drainage. He also stated that in some instances going back decades, it appears the City has not obtained easements from property owners when installation of such structures initially occurred. He further stated that it is in the City's best interest to maintain these existing manmade structures in order to ensure adequate conveyance of street drainage. He stated that in these circumstances, the City will obtain easement from the property owners(s).

He recommended that Council approve the ordinance.

Councilman Saunders made a motion to adopt **Ordinance No. 12-31** to amend Chapter 78: Utilities, Article IV. Stormwater Management, of the City Code of Ordinances of the City of Emporia Va, seconded by Councilwoman Temple, which passed as follows:

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

***12-102. Virginia's Growth Alliance – Presentation by Sherry Swinson, Executive Director***

Mr. Thrower stated that Sherry Swinson, Executive Director of Virginia's Growth Alliance was in attendance to give Council an update on the activities of our regional economic development organization.

Ms. Swinson stated that the projects goals is to develop an economic development brand for the six county, one-city region, reflect the unique economic development assets of the region, differentiate the region from other regional markets by promoting distinctive attributes that demonstrate its value and evaluate the TransTech name to determine if it should be changed or modified to better reflect the economic development image of the region. She also stated that the regional attributes are location, transportation, training, legacy and resources. She further stated that the proposed identity system included name, tagline, typeface, colors, and iconography.

Ms. Swinson stated that our region is a place where settlers planted the seeds of entrepreneurship in the early days of our nation. She also stated that today, we are six counties and one city where this spirit of innovation flourishes. She further stated that we grew as a place

where farming and timber fueled the growth of the Commonwealth of Virginia into one of the most prosperous and dynamic states in the nation. She stated that we value our easy way of life, small-town flavor, and rural landscapes. She also stated that grounded for centuries as a crossroads of the eastern United States, our interstate and rail connections link us to our neighbors: Virginia's Tidewater, Greater Richmond, and North Carolina's Research Triangle.

Ms. Swinson stated that we are cultivating the technologies of the future, with industrial sites offering the most sophisticated broadband access in the nation, dynamic training programs for our dedicated workforce, and traditional industries using the most advanced technologies to produce the highest quality products.

Ms. Swinson stated that we are a place where common sense makes the cost of doing business competitive, where access to the Mid-Atlantic is beyond compare, and growth potential is unlimited. She also stated that we are a place where quality of life is unparalleled, small towns thrive, and personal connections make the difference in how businesses work.

### ***12-103. Virginia's Growth Alliance – Appointment to Board***

Mr. Thrower stated that the two current City Council appointees to the Virginia's Growth Alliance (formerly called the TransTech Alliance) Board of Directors are Mayor Samuel W. Adams, III and Brian S. Thrower, City Manager. He also stated that Mayor Adams does not wish to continue serving on the Board. He further stated that the individual appointed will need to be able to attend daytime meetings. He stated that the majority of the participating localities have appointed their administrator/manager and economic development staff member to serve on the Board.

He recommended that Council appoint an individual to serve on the Virginia's Growth Alliance Board of Directors effective January 1, 2013.

Councilman Harris moved to appoint Councilwoman Temple to serve on the Virginia's Growth Alliance Board of Directors effective January 1, 2013, seconded by Councilman Saunders, which passed as follows:

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

Councilman Harris moved to nominate Jan Harrell to serve as a backup member for the Virginia's Growth Alliance Board of Directors.

Councilman Harris moved to nominate Jan Harrell to serve as a backup member for the Virginia's Growth Alliance Board of Directors effective January 1, 2013, seconded by Councilman Saunders, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye

Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	abstained

***12-104. Comcast Cable – Request by Mayor Adams***

Mayor Adams stated that he had requested that Ken Dye with Comcast be in attendance tonight.

Mayor Adams asked Ken Dye why Channel 10 (Wavy TV) was taken off of Comcast.

Mr. Dye stated that on October 24, 2012 Comcast lost there retransmission rights to that station. He also stated that Comcast was unable to come to an agreeable solution with the parent company of WAVY in negotiations for payment to the regional station. He further stated that the owners of that station felt that they were in a strong position to demand higher compensation.

Mayor Adams inquired on the status of High-Definition cable for the Emporia areas. Mr. Dye stated that Comcast is stilling working on this project.

***12-105. January 1, 2013 Council Meeting – Request to Cancel***

Mayor Adams reported the cancellation of the January 1, 2013 Council meeting due to New Year’s Day.

***12-106. Pork Festival – Request to Defer Payment Until 2013***

Mr. Thrower stated that the Virginia Pork Festival has requested that the City of Emporia and Greensville County defer the \$1 per ticket payback of the loans originating back from 1994. He also stated that according to the number of tickets sold (5,082) from the 2012 Port Festival, the City of Emporia and Greensville County should have each received payment of \$5,082. He further stated that Greensville County has already agreed to defer the \$1 per ticket payback until 2013. He reported that the Pork Festival Board is currently preparing its 2013 budget and is taking significant steps to hopefully make the event profitable in 2013 and beyond.

He recommended that Council authorize deferment of the \$1 per ticket payback until after the 2013 Pork Festival.

Councilman Harris made a motion to authorize deferment of the \$1 per ticket payback until after the 2013 Port Festival, seconded by Councilman Saunders, which passed as follows:

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

### ***12-107. Civic Center Foundation Update and Request***

Mr. Thrower reported that on May 1<sup>st</sup> Council approved the motion to not accept the proposed purchase contract with private developers for the old elementary school. He also reported that Council directed City Administration to procure a contractor to demolish the entire structure, unless an individual or group presents a business plan and financing acceptable to City Council which indicates the intent to purchase all or part of the property before a demolition agreement is executed between the City and contractor. He further reported that at Council June 5<sup>th</sup> meeting City Administration informed Council that no party had come forward with a business plan and/or financing to save the elementary school and/or auditorium. He stated that at the same meeting Council authorized City Administration to enter into a contract with Harrell Construction for demolition of the school with the stipulation that the auditorium portion remain standing the next six months. He also stated that at the conclusion of the six months, the CCF was to report back to City Council outlining the progress the group has made in terms of fundraising and development of a realistic business plan for moving forward.

Mr. Thrower stated that the demolition of the classroom portion of the building has been completed. He also stated that Harrell Construction is currently under contract to complete the rest of the demolition, should the City authorize such. He further stated that Mary Woodruff is in attendance to brief Council on the CCF's efforts the past six months.

Ms. Mary Woodruff stated that the stand alone auditorium complex is very impressive on Main Street and demolition of the school was necessary under the circumstances. She also stated that the six month extension given by the Council was appreciated by the CCF Board and the community.

Ms. Woodruff stated that during the last six months Don Butler and herself have worked hard to develop a plan for the use of the auditorium, kitchen, cafeteria and hallway, but the plan fell through when it reached the Interim President. She also stated that at every step of the planning process Don was given the "okay" from all the performing arts departments, his own dean and the LU Vice President. She further stated that the Interim President did not feel comfortable in signing off on a project of this magnitude to someone else.

Ms. Woodruff stated that a letter was sent to Arts Place requesting permission to apply for a grant. She also stated that the minimum ever granted is one million and there is no cap and required no matching funds. She further stated that at the time of sending the letter it was sent under the partnership of Longwood University and E-G Civic Center Foundation, Inc. She stated that the decision of the request will be posted January 2, 2013. She also stated that if the Civic Center is granted the request, they would need another partner, as partners make grant request stronger in today's world. She further stated that the CCF would like for the City of Emporia to join them as partner in the grants. She stated that the CCF has identified someone who would write the grant and has had much success with grants.

Ms. Woodruff stated that the writing of the business plan will be under the direction of Sheri McGuire, Executive Director of Small Business Development Center of Longwood University. She also stated that Ms. McGuire advised them that the business plan not be written until an answer is received from Arts Place regarding the grant.

Ms. Woodruff stated that there are several other grants that the CCF will apply for in early 2013. She also stated that the CCF has started identifying donors and workers for the

Capital Campaign. She further stated that the campaign will not start until CCF has been awarded adequate grant funds and plans for programming are in place.

Ms. Woodruff stated that the CCF Board would like to request a twelve month extension to give time to hear from the various grants. She also stated that Don has agreed to be CCF consultant. She further stated that he is passionate about what the arts center could mean to the quality of life in Emporia. She stated that if the CCF is not successful with adequate grant funding, CCF understand the consequences.

Ms. Woodruff stated that the CCF would like to have title to all property conveyed from Greensville County to the City of Emporia on S. Main Street. She also stated that the CCF will accept title to the property when adequate funding has been granted for renovation. She further stated that the minimum improvements to the building will be done to the extent of the abilities of the Southampton Detention Center detainees and without using the Capital Campaign Funds that are in the bank. She further stated for example: all doors painted, columns painted, improve on the window panels and address the wall of the auditorium where the classroom was removed.

Don Butler, Education Program Director for Longwood University at the Southside Virginia Education Center in Greensville County, stated that the members of the Longwood University community are interested in development of arts programs at a revitalized facility, but since the LU have an Interim President and can not commit to a project with this magnitude. He stated that he would be acting as a volunteer consultant for the CCF. He further stated that there are grant programs that the CCF could apply for renovation, arts and education programs, and professional development and economic development programs. He stated that the viable grant programs which include the "Art Place" will be use for the renovation grant with no cash match and no limit. He also stated that it required a letter of interests which were submitted on November 1, 2012. He further stated that the areas of activity that could attract grant funding include theater arts, performing arts, culinary arts and natural sciences. He stated that the result of these funding requests through grant applications and possibly future academic and development partnerships could help determine the continuing trajectory of the project

No formal action taken.

### ***12-108. Water Bill Code Amendments – Request to Conduct a Public Hearing***

Mr. Thrower recommend amendments to City Code Section 78-95 clarify that when City offices are closed the entire day on the 25<sup>th</sup> of the month, water service shall be disconnected the next business day. He stated that these proposed amendments give residents an additional day to pay their water bill without disconnection of service when the City offices are closed (weekend, holiday, inclement weather, etc.) a portion of or the entire day on the 24<sup>th</sup> of the month.

He recommended that Council authorize conducting a public hearing on Tuesday, December 18<sup>th</sup> to consider the proposed amendments.

Councilman Harris moved to authorize conducting a public hearing on Tuesday, December 18, 2012 to consider the proposed amendments, seconded by Councilman Saunders, which passed as follows:

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

## **PUBLIC COMMENT**

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

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

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

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (1) **Performance of City Manager and City Clerk**, (A) (3) **Disposition of the old Elementary School Property located at 100 S. Main Street** and (A) (5) **Legal matters pertaining to Shared services and Water Supply for the Mega site**. seconded by Councilwoman Temple, which passed as follows:

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

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

Councilwoman Dixon 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 C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Dale Temple	aye

-----  
**CERTIFICATION**

Councilwoman Dixon moved to certify the following:

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

Councilwoman Temple seconded the motion, which passed as follows:

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

Councilman Harris made the motion verifying that the 3% COLA increase previously approved in the FY13 budget applies to the City Clerk and City Manager positions.

Councilwoman Carey seconded the motion, which passed as follows:

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

Councilman Harris made the motion to approve a six month extension regarding demolition of the old elementary school with the requirement that minimum exterior property maintenance improvements be made to the auditorium similar to other properties written up by City staff. Councilwoman Temple seconded the motion, which passed as follows:

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

**ADJOURNMENT**

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

---

Samuel W. Adams, III, Mayor

---

Tessie S. Wilkins, City Clerk