



# **CITY OF EMPORIA**

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## **PUBLIC HEARING**

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

**AGENDA**  
**EMPORIA CITY COUNCIL**  
*Regular Meeting*  
**TUESDAY, December 4, 2012 - 7:30 P.M.**

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### **OPENING PRAYER**

### **ROLL CALL**

### **APPROVAL OF MINUTES**

November 20, 2012 ~ Public Hearing and Regular Meeting

### **APPROVAL OF AGENDA**

### **UNFINISHED BUSINESS**

- 12-98. Boards and Commissions – Unexpired Terms (John W. Barrows)
- 12-99. Farmers Market Advisory Board Expirations – Bill Howell/Samuel Adams, III

### **NEW BUSINESS**

- 12-100. City School Board/Greensville County School Board – Term Expirations
- 12-101. Stormwater Management Ordinance – Request to Approve Amendments
- 12-102. Virginia’s Growth Alliance – Presentation by Sherry Swinson, Executive Director
- 12-103. Virginia’s Growth Alliance – Appointment to Board
- 12-104. Comcast Cable – Request by Mayor Adams
- 12-105. January 1, 2013 Council Meeting – Request to Cancel
- 12-106. Pork Festival – Request to Defer Payment Until 2013
- 12-107. Civic Center Foundation Update and Request

### **PUBLIC COMMENT**

PO BOX 511, 201 SOUTH MAIN ST., EMPORIA, VA 23847 TELEPHONE: (434) 634 3332 FAX: (434) 634 0003

Visit Our Website at: [www.ci.emporia.va.us](http://www.ci.emporia.va.us)



# **CITY OF EMPORIA**

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## **PUBLIC HEARING**

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

**AGENDA**  
**EMPORIA CITY COUNCIL**  
*Regular Meeting*  
**TUESDAY, December 4, 2012 - 7:30 P.M.**

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### **CLOSED SESSION**

Closed Meeting pursuant to Virginia Code § 2.2 3711 (A) (1) Performance of City Manager and City Clerk, Disposition (A) (3) 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.

## PUBLIC HEARINGS

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- 1. General Obligation Bond Issuance – Citizens National Bank Building**
  - 2. FY13 Budget Amendment – Citizens National Bank Building**
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Emporia's City Council held a Public Hearing on Tuesday, November 20, 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  
Sheila Cutrell, Finance Director  
W. S. Harris, Jr., Treasurer  
Joyce E. Prince, Commissioner of the Revenue  
Ken Ryals, Emergency Service Coordinator

### **1. General Obligation Bond Issuance – Citizens National Bank Building**

Mr. Thrower reported that the City of Emporia is holding a public hearing on its proposal to issue, without a referendum, bonds of the City of Emporia, Virginia. He stated that the bonds will be issued in the principal amount of \$1,735,500.00 and will be secured by the full faith and credit of the City. He also stated that the proceeds of the bonds will be used to provide funds to the Emporia Redevelopment and Housing Authority for the rehabilitation of the Citizens Nations Bank (CNB) Building located at 401 S. Main Street (corner of Hicksford Avenue and South Main Street), refinance certain existing tax-exempt indebtedness related to the CNB Building, and pay the costs of issuing the bonds.

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

**Bruce Campbell** of 314 West York Drive, Emporia, Virginia inquired about the different type of businesses that will be using the building and when will the construction start and end for the building. Mayor Adams stated that the building will be used for the City Sheriff Office,

Local State Agency and restaurant. Mr. Thrower stated that construction should start mid-December and last for approximately ten months.

**Jerry Allen** of 418 Fountain Creek Road, Emporia, Virginia, inquired if the building is going to be used as a restaurant. Mayor Adams stated yes that is correct.

**Wilson Clary** of 405 Laurel Street, Emporia, Virginia, stated that the money used on this project would be better spent on projects spread throughout the City rather than on one project. He also stated that the City is becoming a commercial developer for downtown Emporia with the advent of a restaurant, which is a bad move to make.

**Timothy Vincent** of 100 Beech Tree Lane, Emporia, Virginia, stated that the City government should not enter into the real estate or real estate leasing business, or any other business that competes with the taxpayers business.

**Debra Brown** of 604 Temple Avenue, Emporia, Virginia, stated the City should not have a business competing with a private business.

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. FY13 Budget Amendment – Citizens National Bank Building**

Mr. Thrower reported that the City of Emporia is holding a public hearing on its intention to appropriate the sum of \$1,733,500.00 in bond proceeds into its FY13 operating budget. He stated that the proceeds of the bonds will be used to provide funds to the Emporia Redevelopment and Housing Authority for the rehabilitation of the Citizens National Bank (CNB) Building located at 401 S. Main Street (corner of Hicksford Avenue and South Main Street), refinance certain existing tax-exempt indebtedness related to the CNB Building, and pay the costs of issuing the bonds.

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

**Laura Moore** of 2785 Quarry Road, Skippers, Virginia, stated that if bonds are issued what will be the interest rate. Mr. Thrower stated that the interest rate would be 3.86 percent.

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 public hearing.

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Samuel W. Adams, III, Mayor

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Tessie S. Wilkins, City Clerk

**MINUTES**  
**EMPORIA CITY COUNCIL**  
**CITY OF EMPORIA MUNICIPAL BUILDING**  
**November 20, 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, November 20, 2012 at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the meeting with Bishop Vincent Lowery offering the invocation.

**ROLL CALL**

The following City Council members were present:

Councilman F. Woodrow Harris  
Councilman James C. Saunders  
Councilwoman 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  
Joyce E. Prince, Commissioner of the Revenue  
Don Wyatt, Chief of Police  
W. S. Harris, Jr., Treasurer  
Ken Ryals, Emergency Service Coordinator  
Sheila Cutrell, Finance Director

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, October 16, 2012, 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

## **APPROVAL OF BILLS**

A listing of the November 20, 2012 bills was presented to City Council members.

General Fund	\$	928,681.54
Utility Fund	\$	142,205.30

Councilman Saunders moved to approve the November 20, 2012 bills as presented, seconded by Councilwoman Carey, which passed as follows:

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

## **FINANCIAL AND TAX REPORTS**

Honorable W. S. Harris, Jr., City Treasurer provided his report to City Council members. There were no questions regarding his report.

## **COMMISSIONER OF THE REVENUE REPORT**

Honorable Joyce E. Prince, Commissioner of the Revenue provided her report to City Council members. There were no questions regarding her report.

## **PERMIT AND INSPECTION REPORT**

Randy C. Pearce, Building/Fire Official provided his report to City Council members. There were no questions concerning his report.

## **POLICE REPORT**

Don Wyatt, Chief of Police provided his report to City Council members. There were no questions concerning his report.

## **CITY SHERIFF REPORT**

Sam C. Brown, Sheriff provided his report to City Council members. There were no questions concerning his report.

## **CITY ATTORNEY REPORT**

C. Butler Barrett, City Attorney had no matters to report to City Council members.

## **AGENDA APPROVAL**

Councilwoman Dixon moved to approve the agenda as presented, seconded by Councilwoman Temple, which passed as follows:

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

## **NEW BUSINESS**

### ***12-92. Administrative Permit Fee Waivers***

Mr. Hall reported that this item was referred to staff for research at Council September 5, 2012 Regular Meeting due to continual requests from various groups and organizations for permit fee waivers (building, zoning, sign, etc.) and the City's existing policy of bringing all such requests before Council individually for consideration.

Mr. Hall stated per Council direction, eleven Virginia localities were contacted regarding fee waiver "policies." He also stated that ten localities provided feedback. He further stated that in summation, there exists a blend between no waivers (3), governing body waivers (5) and administrator waivers (2). He stated that none of the localities he contacted have a written policy or code section regarding fee waivers, only in instances of Enterprise Zone incentives is a policy in writing.

He recommended option one continue to bring individual requests to City Council for determination or option two implement a policy of no fee waivers regardless of use/applicant unless a project is located in the proposed enterprise zone and/or as part of a larger economic development deal. He stated the Council direction is requested.

Councilman Saunders made a motion to continue to bring the individual requests to City Council for determination, 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

**12-93. Stormwater Management Ordinance Amendment – Request to Hold Public Hearing**

Mr. Thrower reported 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 that 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 further stated that in these circumstances, the City will obtain an easement from the property owners(s).

He recommended that Council authorize conducting a public hearing at Council December 4, 2012 meeting regarding the proposed ordinance amendments.

Councilwoman Temple made a motion to conduct a public hearing at Council December 4, 2012 meeting regarding the proposed ordinance amendments, seconded by Councilwoman Doris White, which passed as follows:

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

**12-94. Farmers Market Rules and Regulations – Request to Allow Fine Arts and Crafts**

Mr. Thrower stated that at its October 2, 2012 meeting, members of the Farmers Market Advisory Board (FMAB) discussed the possibility of allowing crafts to be sold at the Farmers Market. He also stated that a quorum was not in attendance, the recommendation of those present was to request that Council approve allowing crafts to be sold at the Farmers Market.

Mr. Thrower stated that the proposed amendment lists "Fine Art and Crafts" as products eligible for sale at the market. He stated that the amendment reads: Fine Arts and Crafts – A Fine Art and Craft Vendor is defined as a person who creates, primarily through the use of their own hands, the products they offer for sale. Such products include, but are not limited to, quilts, baskets, jewelry, woodcrafts, floral arrangements and other products involving weaving, pottery, carvings, sculpture, photography, and painting. Sale of garage and flea market type items, manufactured, used or imported goods are prohibited. Crafts will be evaluated by the Farmer's Market Manager prior to display and permission may be revoked upon his/her discretion.

Mr. Thrower reported that in researching other localities' policies, it appears there is a mix of those who allow crafts to be sold and those who do not. He also reported that some of those who do allow crafts to be sold regulated the product mix in order to achieve an optimal balance of both food and crafts. He further reported that as this new initiative progresses, City staff and the FMAB will monitor the vendor mix and make adjustments and/or recommendations via policy amendments as necessary in order to ensure there is a balance of both food and crafts for sale.

He recommended that Council approve the proposed amendments to the Farmers Market Rules and Regulations in order to allow vendors to sale fine arts and crafts at the market.

Councilman Harris made a motion to approve the proposed amendments to the Farmers Market Rules and Regulations in order to allow vendors to sale fine arts and crafts at the market, seconded by Councilwoman Dixon, which passed as follows:

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

***12-95. VML Risk Management Grant Funds – Appropriation Ordinance***

Mr. Thrower reported that the City had received a safety grant from VML Insurance Programs in the amount of \$3,971.00 to be used for safety. He stated that the City will use these funds to pay for the purchase of traffic cones and barricades. He also stated that in order for the City to utilize these funds for this purpose, Council must appropriate them into the FY13 operating budget.

Councilwoman Temple made a motion to adopt **Ordinance No. 12-27** to appropriate the sum of \$3,971.00 in grant funds from the Virginia Municipal League Insurance Programs for the Risk Management Grant program, seconded by Councilwoman Doris White, which passed as follows:

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

***12-96. 2013 Highway Safety Project Grant (DMV) – Appropriation Ordinance***

Mr. Thrower reported that the City of Emporia made application and was awarded a Highway Safety Project Grant by the Virginia Department of Motor Vehicles. He stated that this grant consists of \$16,521.00 in pass through funds from USDOT/NHTSA for the federal fiscal

year 2013. He also stated that the money is designated for traffic enforcement equipment and training (two digital in-car cameras, three radar units, and traffic safety training).

Mr. Thrower advised that those funds were not included in the FY13 operating budget. He also advised that utilizing this award requires the adoption the ordinance to appropriate funds into the City's FY13 operating budget. He further advised that the DMV will reimburse the City's General Fund Revenue Account for \$16,521.00 once all expenditures are submitted to it for approval. He stated that the City will provide an \$8,260.50 in-kind match.

Councilman Saunders made a motion to adopt **Ordinance No. 12-28** to appropriate the sum of \$16,521.00 in DMV Highway Safety Grant Funds, seconded by Councilwoman Carey, which passed as follows:

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

***12-97. Drug Seizure Fund – Appropriation Ordinance***

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

Mr. Thrower stated that the Police Department wishes to use \$40,000.00 in seized funds for the purchase of a marked patrol vehicle.

Councilman Saunders made a motion to adopt **Ordinance No. 12-29** to appropriate the sum of \$40,000.00 in Drug Seizure Funds, 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

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

Mr. Thrower stated that due to the recent passing of John W. Barrows, there is a vacant seat on the Planning Commission. He stated that this vacant seat on the Planning Commission serves a four (4) year term with the current expiration date being June 30, 2014.

Councilman Harris moved to nominate James C. Saunders for appointment to the Planning Commission.

Councilman Harris moved to appoint James C. Sanders to serve the unexpired four year term on the Planning Commission with an expiration date of June 30, 2014 effective January 1, 2013, seconded by Councilwoman Dixon, which passed as follows:

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

Mr. Thrower stated that due to the passing of John W. Barrows, there is a vacant seat on the Board of Zoning Appeals. He also stated that this vacant seat on the Board of Zoning Appeals serves a five year term with the current expiration date being February 28, 2014. He further stated that City Council needs to make a nomination(s) to fill the vacant seat and submit the result(s) to the Greenville County Circuit Court for consideration and appointment.

Mayor Adams stated that this item was to be continued at the December 4, 2012 City Council Regular meeting.

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

Mr. Thrower stated that on November 30, 2012 the four year terms of Mr. Bill Howell and Mayor Samuel Adams, III on the City's Farmers Market Advisory Board will expire. He also stated that Mayor Adams has stated that he does not wish to be considered for reappointment. He further stated that Mr. Howell has stated that he does wish to be considered for reappointment.

Councilman Harris moved to reappoint Bill Howell to serve on the City's Farmers Market Advisory Board with an expiration date of November 30, 2016 and Mayor Adams vacancies be appointed at the December 4, 2012 City Council Regular meeting, seconded by Councilwoman Dixon, which passed as follows:

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

**PUBLIC COMMENT**

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

**Debra Brown, 604 Temple Avenue**, addressed Council with concerns about a facebook status submitted by Kimmie Thrower. She stated that even if Mrs. Thrower said it is not racial, it's disrespectful to the Mayor elected Mary Person. She further stated that we do not want our leaders and their spouses posting messages that are vulgar and disgraceful. She stated that even if a spouse is not a City employee they should conduct themselves to a certain code of conduct that is respectful to the City and its citizens. She also stated that she and the NAACP think that Mr. Thrower owe Mary Person as well as the citizens of Emporia and apology.

Mayor Adams stated that you are not going to get an apology from someone that did not do anything.

**Willie Taylor, 204 Lowground Road**, addressed Council stating that the Mayor ran the City of Richmond, so why do the City of Emporia needs a City Manager. Mayor Adams stated that the City of Richmond and City of Emporia are two different forms of government.

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

**\*\*\*Closed Session\*\*\***

Councilwoman Temple moved that the joint closed session meeting with the Emporia Redevelopment and Housing Authoring pursuant be entered for the purpose of discussing Virginia Code § 2.2 3711 (A) (5) **Discussion of a prospective business**. Councilwoman Dixon 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

**\*\*\*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 Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

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**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.

Councilman Saunders made the motion to approve the general obligation bond resolution authorizing the issuance of bonds in the principal amount of \$1,733,500 to be secured by the full faith and credit of the City. Furthermore, the proceeds of the bonds will be used to provide funds to the Emporia Redevelopment and Housing Authority for the rehabilitation of the Citizens National Bank (CNB) Building located at 401 S. Main Street (corner of Hicksford Avenue and South Main Street), refinance certain existing tax-exempt indebtedness related to the CNB Building, and pay the costs of issuing the bonds. Councilwoman Carey seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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

Councilwoman Temple made the motion to approve the resolution approving agreements with the Emporia Redevelopment and Housing Authority pertaining to the Citizens National Bank Building project. Councilwoman Carey seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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 Saunders made the motion to approve the ordinance appropriating the sum of \$1,733,500 in bond proceeds into the FY13 operating budget. Furthermore, the proceeds of the bonds will be used to provide funds to the Emporia Redevelopment and Housing Authority for the rehabilitation of the Citizens National Bank (CNB) Building located at 401 S. Main Street (corner of Hicksford Avenue and South Main Street), refinance certain existing tax-exempt indebtedness related to the CNB Building, and pay the costs of issuing the bonds. Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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

Councilwoman Temple made the motion to approve waiving any and all permit fees associated with the Citizens National Bank Building renovation, including those that may be incurred by tenants in commencing operations. Councilwoman Carey seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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 Saunders made the motion to approve waiving water, sewer, and trash collection fees for the Emporia Citizens National Bank Building, LP. Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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

Councilwoman Temple made the motion to authorize the City Manager and/or Mayor to execute any and all documents pertaining to the Citizens National Bank Building project and do those things necessary to move forward with such project. Councilwoman Carey seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	abstained
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**

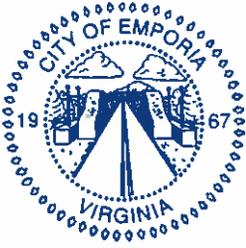
With no further business to come before City Council, Mayor Adams adjourned the meeting.

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Samuel W. Adams, III, Mayor

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Tessie S. Wilkins, City Clerk



# CITY OF EMPORIA

## MEMORANDUM

November 16, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager  
**SUBJECT:** Boards and Commissions – Unexpired Terms (John W. Barrows)  
**ITEM:** 12-98

***Planning Commission*** – Due to the recent passing of John W. Barrows, there is a vacant seat on the Planning Commission. This vacant seat on the Planning Commission serves a four (4) year term with the current expiration date being June 30, 2014.

***Board of Zoning Appeals*** – Due to the passing of John W. Barrows, there is a vacant seat on the Board of Zoning Appeals. This vacant seat on the Board of Zoning Appeals serves a five (5) year term with the current expiration date being February 28, 2014. As a result, City Council needs to make a nomination(s) to fill the vacant seat and submit the result(s) to the Greensville County Circuit Court for consideration and appointment.

### **Recommendation**

This information is provided to City Council for its consideration.

### **Attachments**

*Current Planning Commission Roster*  
*Current Board of Zoning Appeals Roster*

*BST/tsw*

## PLANNING COMMISSION

**Term of Office: 4 Years**

Woodrow L. Bryant, Jr. 604 South Oak Hill Drive Emporia, Virginia 23847 (H) 434/634-4791	06/30/2014
William S. Newsome 503 Jefferson Street Emporia, Virginia 23847 (H) 434/634-3641 (W) 434/634-5141	06/30/2013
James Ewing 221 East York Drive Emporia, Virginia 23847 (C) 434/594-4319 (F) 434/348-4850	06/30/2016
William C. Slate, Jr. 1501 Walnut Drive Emporia, Virginia 23847 (H) 434/634-5075 (W) 434/634-3045	06/30/2016
Chris Thompson 1400 Wiggins Road Emporia, Virginia 23847 (H) 434/634-9407 (C) 434/594-6394 (W) 434/634-3217 ext 3044	06/30/2015
John W. Barrows 316 Echols Street Emporia, Virginia 23847 (H) 434/634-9461	06/30/2014
Richard Short 205 Tall Oaks Drive Emporia, Virginia 23847 (H) 434/634-5369	06/30/2013
Edward V. Lankford, IV 104 Beech Tree Lane Emporia, Virginia (H) 434/348-7254 (W) 434/634-6131	06/30/2015

Nancy B. Squire  
428 Laurel Street  
Emporia, Virginia 23847  
(H) 434/634-5096

01/06/2013

# BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

*(Continued)...*

Joseph Carey  
6502 East Atlantic Street  
Emporia, Virginia 23847  
(H) 434/634-4803

02/28/2017

R. W. Little, Jr.  
105 Goodwyn Street  
Emporia, Virginia 23847  
(H) 434/634-2590

02/28/2013

Marva J. Dunn  
272 Astrio Street  
Emporia, Virginia 23847  
(H) 434/348-3122

02/28/2014

# BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

**Term of Office: 5 Years**  
*(Council Recommendation - 30 days Notice)*

John W. Barrows  
316 Echols Street  
Emporia, Virginia 23847  
(H) 434/634-9461

02/28/2014

Doug Jessee, Jr.  
1501 Sunset Lane  
Emporia, Virginia 23847  
(H) 434/634-5090

Chairman

02/28/2013



# **CITY OF EMPORIA**

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## **MEMORANDUM**

November 16, 2012

**TO:** Honorable Mayor and City Council Members  
**FROM:** Brian S. Thrower, City Manager  
**SUBJECT:** Farmers Market Advisory Board Expirations – Bill Howell/Samuel Adams, III  
**ITEM:** 12-99

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On November 30, 2012 the 4-year terms of Mr. Bill Howell and Mayor Samuel Adams, III on the City's Farmers Market Advisory Board will expire. Mayor Adams has stated that he does not wish to be considered for reappointment. Mr. Howell has stated that he does wish to be considered for reappointment.

### **Recommendation**

This information is provided to City Council members for consideration and action.

### **Attachments**

*Current Farmers Market Advisory Roster*

*BST/tsw*

# FARMERS MARKET ADVISORY BOARD

## **Term of Office: 4**

*(Notify Steven Hall of City Manager Office of updates)*

Samuel W. Adams, III ~ Mayor 532 Ingleside Avenue Emporia, Virginia 23847 (H) 434/634-3768	Mayor	11/30/12
Doris T. White 501 Gowin Street Emporia, Virginia 23847 (H) 434/634-4085	Council Member	11/30/14
Bill Howell 429 S. Main Street Emporia, Virginia 23847 (W) 434/634-3286		11/30/12
Hannah Barrett 323 Halifax Street Emporia, Virginia 23847 (H) 434/634-6115		11/30/13
Morris White 302 Broad Street Emporia, Virginia 23847 (W) 434/348-4233		11/30/13
Jean Cobb 315 Echols Street Emporia, Virginia 23847 (H) 434/348-3509		11/30/13
Mike Allen 205 Ruritan Drive Emporia, Virginia (C) 434/594-4144		11/30/14

GREENSVILLE



# **CITY OF EMPORIA**

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## **MEMORANDUM**

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager  
**SUBJECT:** City School Board/Greensville County School Board – Term Expirations  
**ITEM:** 12-100

A Public Hearing was held tonight 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. Ms. Bush has indicated that she does wish to be considered for reappointment.

### **Recommendation**

This is for your information only. No action is required at this time. You will be requested to appoint an individual to this term on December 18, 2012.

*BST/tsw*



# CITY OF EMPORIA

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## Memorandum

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Stormwater Management Ordinance – Request to Approve Amendments  
**ITEM #:** 12-101

Attached are proposed amendments to the City's Stormwater Management ordinance. In particular, 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.

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. In some instances going back decades, it appears the City has not obtained easements from property owners when installation of such structures initially occurred. As such, it is in the City's best interest to maintain these existing manmade structures in order to ensure adequate conveyance of street drainage. In these circumstances, the City will obtain an easement from the property owner(s).

### Recommendation

I recommend you approve the attached ordinance.

### Attachment

Ordinance

**Ordinance**

An Ordinance To Amend Chapter 78: Utilities,  
Article IV. Stormwater Management, Of The City  
Code Of Ordinances Of The City Of Emporia,  
Virginia

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

1. That Chapter 78: Utilities, Article IV. Stormwater Management, of the Code of Ordinances, City of Emporia, Virginia, is hereby amended to read as follows:

**ARTICLE IV. - STORMWATER MANAGEMENT**

**DIVISION 1. - GENERALLY**

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Sec. 78-300. - Definitions.

Sec. 78-301. - Maintenance of stormwater drainage systems or facilities on city property, right-of-way, or stormwater drainage easements.

Sec. 78-302. - Private stormwater drainage systems or facilities.

Secs. 78-303—78-310. - Reserved.

**Sec. 78-300. - Definitions.**

As used in this article, the word:

*Director* shall mean the director of the department of public works.

*Driveway pipe* shall mean pipe used to convey water from a natural drainage system or a stormwater drainage system or facility under a driveway.

*Natural drainage system* shall mean the path along which surface or ground water would flow under natural conditions, including storm conditions.

*Stormwater conveyance channel* shall mean a permanent, designed waterway, shaped and lined with appropriate vegetation or structural material to convey excess stormwater runoff away from a developing area.

*Stormwater drainage system or facility* shall mean any natural, or manmade, system or facility conveying or intended to convey stormwater, including but not limited to stormwater conveyance channels, ditches, streams, pipes, culverts, and other drainage systems or facilities.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-301. - Maintenance of stormwater drainage systems or facilities on city property, right-of-way, or stormwater drainage easements.**

Any stormwater drainage system or facility installed or located on city property, right-of-way, or within a stormwater drainage easement will be maintained by the city at its sole expense to insure adequate flow and to minimize damage to surrounding public or private property, ~~with the exception of driveway pipes and ditches located within the city right-of-way.~~ With the exception of a driveway over driveway pipe, construction of any kind over such a stormwater drainage system or facility without the consent of the city is prohibited.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-302. - Private stormwater drainage systems or facilities.**

Unless the installation, alteration, repair, or replacement of a stormwater drainage system or facility is made by the city at its sole expense pursuant to division 2 or involves city participation pursuant to division 3, such installation, alteration, repair, or replacement will be made at the sole expense of the owner or owners of the land on which the stormwater drainage system or facility is or will be located or at the expense of any other interested person or persons. This includes maintenance and cutting of grass, weeds, and brush along ditches. All such work must meet city specifications and receive final approval from the director.

*(Ord. No. 09-51, 8-18-09)*

**Secs. 78-303—78-310. - Reserved.**

**DIVISION 2. - INSTALLATION, ALTERATION, REPAIR, OR REPLACEMENT OF STORMWATER SYSTEMS OR FACILITIES BY THE CITY WITHOUT PRIVATE PARTICIPATION**

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Sec. 78-311. - Criteria for decision by the city to install, alter, modify, repair, or replace stormwater drainage system or facility.

Secs. 78-312—78-320. - Reserved.

**Sec. 78-311. - Criteria for decision by the city to install, alter, modify, repair, or replace stormwater drainage system or facility.**

(a) The installation, alteration, repair, or replacement of stormwater drainage system or facilities will be made by the city without private participation, except as outlined in chapter 62, Streets, sidewalks, and other public places, when:

(1) The stormwater drainage system or facility is or will be located on city property, right-of-way, or within a stormwater drainage easement, ~~with the exception of driveway pipes and ditches located within the city right-of-way;~~ or

(2) There is a failure of an existing manmade stormwater drainage system or facility on private property previously constructed by the city which conveys street drainage.

(23) The stormwater drainage problem has been caused by inadequately designed or functioning stormwater drainage improvements made on a city right-of-way or on public property, including but not limited to undersized culverts; or

(34) The stormwater drainage or flooding is causing damage to city-owned utilities, bridges, streets, or other city-owned property; or

(45) The stormwater drainage or flooding is interfering with the flow of traffic on a city street or highway; or

(b) In determining the priority of the installation, alteration, repair, or replacement of any specific stormwater drainage system or facility to be accomplished solely with city funds, the city manager shall consider the funds appropriated and available, the cost of the project, the frequency of flooding, the severity of the flooding or erosion, the number of persons who will benefit, and the extent of the threat to the safety of persons or the damage to the property.

(c) If the installation, alteration, repair, or replacement of a stormwater drainage system or facility pursuant to the provisions of this division requires the acquisition of an easement through, under, or across private property, such easement will be acquired.

(d) The city shall make an installation, alteration, repair, or replacement of a stormwater drainage system or facility only to the extent needed for adequate resolution of any erosion or flooding problem and only in the manner that will result in the least cost to the city.

*(Ord. No. 09-51, 8-18-09)*

Secs. 78-312—78-320. - Reserved.

### **DIVISION 3. - JOINT PARTICIPATION BY THE CITY IN THE INSTALLATION, ALTERATION, REPAIR, OR REPLACEMENT OF STORMWATER DRAINAGE SYSTEMS OR FACILITIES ON PRIVATE PROPERTY**

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Sec. 78-321. - When the city may jointly participate in the installation, alteration, repair, or replacement of stormwater drainage system facilities on private property.

Sec. 78-323. - Agreement required.

Sec. 78-324. - Limitation on city's participation.

Sec. 78-325. - Property owners required to share in the cost.

Sec. 78-326. - Availability of funds as prerequisite.

Secs. 78-327—78-340. - Reserved.

**Sec. 78-321. - When the city may jointly participate in the installation, alteration, repair, or replacement of stormwater drainage system facilities on private property.**

- (a) Subject to the provisions of the other sections in this division, the city manager and the director shall review and recommend whether the city should jointly participate in the installation, alteration, repair, or replacement of a stormwater drainage system or facility located on private property where one or more of the following circumstances exist:

(1) There is a failure of an existing natural stormwater drainage system or facility on private property which conveys street drainage are severely eroding stream banks-causing or threatening significant damage to improvements on private property resulting from stormwater runoff from city streets and/or private development.

(2) ~~There is a failure of an existing stormwater drainage system or facility on private property which conveys street drainage where the stormwater drainage~~

~~system or facility had been installed under a stormwater drainage system or facility written agreement or a storm sewer written agreement.~~

(32) In order to correct a flooding or erosion problem, the extension onto private property of an existing stormwater drainage system or facility which conveys street drainage is necessary.

The city may participate in such installation, alteration, repair, or replacement only to the extent needed for adequate resolution of any erosion or flooding problem and only in the manner that will result in the least cost to the city.

(b) In reviewing and recommending the priority of the installation, alteration, repair, or replacement of any stormwater drainage system or facility pursuant to the provisions of this division, the city manager and director shall consider the funds appropriated and available, the cost of the project, the frequency of the flooding, the severity of the flooding or erosion, the number of persons who will benefit, the extent of the threat to the safety of persons or the damages to property, and the date on which such request for participation was made in relation to other similar requests. All requests must be approved by city council in order for the city to participate in the installation, alteration, repair, or replacement of any stormwater drainage system or facility pursuant to the provisions of this division.

(c) If the installation, alteration, repair, or replacement of a stormwater drainage system or facility pursuant to the provisions of this division requires the acquisition of an easement through, under, or across private property, such easement will be acquired.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-323. - Agreement required.**

The city will not participate in the installation, alteration, repair, or replacement of any stormwater drainage system under this division until a stormwater drainage system or facility agreement has been executed between the city and all parties having an ownership or other interest in the land on which the stormwater drainage system or facility is or will be located.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-324. - Limitation on city's participation.**

The city shall not be responsible for more than 50 percent of the actual cost of installing, altering, repairing, or replacing any stormwater drainage system or facility

referred to in this division. However, if the property owner or owners or other person or persons requesting city participation desires to construct a stormwater drainage system or facility that exceeds the estimated cost of a system or facility the city deems to be adequate, the city will only pay 50 percent of the estimated cost of a system or facility the city deems adequate.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-325. - Property owners required to share in the cost.**

Prior to the city or its contractor beginning any work relating to the correction of a stormwater problem on private property, the property owner or owners or person or persons requesting city participation shall deposit with the treasurer one-half of the estimated cost of such work, including the cost of both labor and materials.

Should the actual cost of the project be less than the estimated cost, the city shall refund any excess funds deposited with the city. Should the actual cost of the project be more than the estimated cost, the property owner or owners shall be responsible for that portion.

As to any project where the work is to be done by a private contractor, if the bid received by the city exceeds the initial estimate made by the city then the property owner shall be notified of the private contractor's bid and shall be required to deposit any additional amount necessary to make the deposit equal his 50 percent share of the total cost.

*(Ord. No. 09-51, 8-18-09)*

**Sec. 78-326. - Availability of funds as prerequisite.**

The city shall not participate in the installation, alteration, repair, or replacement of any stormwater drainage system or facility referred to in this division unless funds have been appropriated and are available for such purposes.

*(Ord. No. 09-51, 8-18-09)*

**Secs. 78-327—78-340. - Reserved.**

**DIVISION 4. - DRIVEWAY PIPES**

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**Sec. 78-341. - Installation, alteration, repair, or replacement of driveway pipe.**

**Sec. 78-341. - Installation, alteration, repair, or replacement of driveway pipe.**

(a) If a person installs, alters, repairs, or replaces driveway pipe on private property, he will use pipe of sufficient size and material, as authorized by the director, to accommodate the flow of such stormwater as may reasonably be expected in the city.

(b) If the driveway pipe will be located within street right-of-way, the city department of public works may install, alter, repair, or replace the driveway pipe, at the request of the property owner. In this circumstance, the property owner will be responsible for paying the costs to do such work. The property owner may get a contractor to do the work or do the work themselves; however, all such work must meet city specifications and receive final approval from the director.

*(Ord. No. 09-51, 8-18-09)*

2. This ordinance shall be in effect on and after its adoption.

Adopted: December 4, 2012

City of Emporia, Virginia

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

Attest:

Form Approved:

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

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



# **CITY OF EMPORIA**

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## **Memorandum**

November 30, 2012

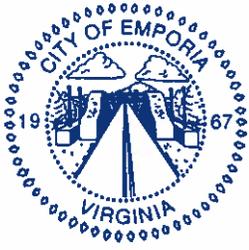
**TO:** The Honorable Mayor and City Council

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

**SUBJECT:** Virginia's Growth Alliance – Presentation by Sherry Swinson, Executive Director

**ITEM #:** 12-102

Sherry Swinson, Executive Director of Virginia's Growth Alliance, is in attendance to give you an update on the activities of our regional economic development organization.



# **CITY OF EMPORIA**

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## **Memorandum**

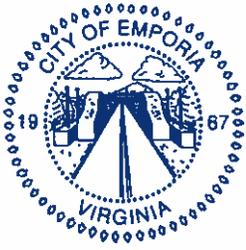
November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Virginia's Growth Alliance – Appointment to Board  
**ITEM #:** 12-103

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. Mayor Adams does not wish to continue serving on the Board. As such, you will need to appoint another individual to represent the City. The individual appointed will need to be able to attend daytime meetings. Moreover, the majority of the participating localities have appointed their administrator/manager and economic development staff member to serve on the Board.

### **Recommendation**

I recommend you appoint an individual to serve on the Virginia's Growth Alliance Board of Directors effective January 1, 2013.



# CITY OF EMPORIA

## Memorandum

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Comcast Cable – Request by Mayor Adams  
**ITEM #:** 12-104

Mayor Adams has requested that Ken Dye with Comcast be in attendance at tonight's meeting.



# **CITY OF EMPORIA**

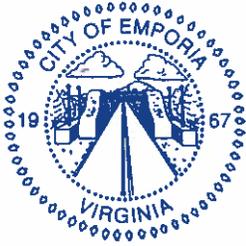
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## **Memorandum**

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** January 1, 2013 Council Meeting – Request to Cancel  
**ITEM #:** 12-105

The first Tuesday in January falls on New Year's Day. As such, I recommend you cancel your January 1, 2013 meeting.



# CITY OF EMPORIA

## Memorandum

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Pork Festival – Request to Defer Payment Until 2013  
**ITEM #:** 12-106

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. According to the number of tickets sold (5,082) from the 2012 Pork Festival, the City of Emporia and Greensville County should have each received payment of \$5,082. Greensville County has already agreed to defer the \$1 per ticket payback until 2013. 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.

### Recommendation

I recommend that you authorize deferment of the \$1 per ticket payback until after the 2013 Pork Festival.



# CITY OF EMPORIA

## Memorandum

November 30, 2012

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Civic Center Foundation Update and Request  
**ITEM #:** 12-107

Below is a brief chronology outlining the recent developments pertaining to the old elementary school since May 2012.

On May 1<sup>st</sup> you approved the motion to not accept the proposed purchase contract with private developers for the old elementary school. Furthermore, you 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. At your June 5<sup>th</sup> meeting City Administration informed you that no party had come forward with a business plan and/or financing to save the elementary school and/or auditorium. At that same meeting you 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. At the conclusion of the six months (tonight), 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.

As you are aware, the demolition of the classroom portion of the building has been completed. Harrell Construction is currently under contract to complete the rest of the demolition, should the City authorize such. Mary Woodruff is in attendance to brief you on the CCF's efforts the past six months.

### Recommendation

This item will be discussed in closed session.

### Attachment

June 5, 2012 Meeting Minutes

June 5, 2012 meeting

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

Councilman Harris made a motion to reaffirm Mayor Adams and Brian Thrower appointments as Board members, 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 L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

**12-41. UPC 93304 – Halifax Street Bridge – Request to Approve Resolution**

Mr. Hall reported that VDOT is in the process of administering the Halifax Bridge Reconstruction Project. He also reported that a required “Willingness to Proceed” was published in the Independent Messenger on February 26, 2012 and placed on the Municipal Building Bulletin Boards. He further reported that this document provided information for interested parties to ask questions, offer comment and ultimately hold a Public Hearing should outstanding issues exist.

Mr. Hall stated that as of Wednesday, March 14, 2012 (the required timeframe for notice), no comments were received by the City or VDOT. He also stated that the project can proceed with no formal Public Hearing and with the “major design features” currently proposed by VDOT. He further stated that Mr. Royal Jones and Mr. Linwood Pope had both reviewed the plans provided and had no concerns.

Mr. Hall stated that a resolution must first be approved by the local governing body.

He recommended that Council approve the resolution Approving Design when no Public Hearing is Held.

Councilman Saunders made a motion to adopt **Resolution No. 12-06** approving design when no public hearing is held, seconded by Councilwoman Temple, which passed as follows:

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

**12-42. Elementary School – Demolition Bids Received**

Mr. Hall stated that per Council formal direction at the May 1, 2012 Regular Meeting, City Administration had advertised and received bids for the demolition of the elementary school

complex located at 100 South Main Street. He also stated that an Invitation to Bid (ITB) was published in the Independent Messenger on Wednesday, May 9. He further stated that the same ITB was posted on bulletin boards in the Municipal Building. He stated that bids were due by 4:00 p.m. on Friday, May 25.

Mr. Hall reported that a total of four companies had submitted bids for the project. He also reported that the low bidder had been identified as Harrell Contracting, Incorporated at \$199,000. He further reported that the ITB, "Work includes asbestos abatement by a licensed/certified asbestos abatement contractor. He stated that all documentation of abatement and landfill receipts shall be provided to the City prior to commencement of the demolition activity. He also stated that contractor is responsible for coordinating disconnection of all service connections with utility providers prior to demolition. He further stated that all structures; including rear "white building footings will also be removed. He stated that any underground storage tanks will be removed of all structures. He also stated that the final site will be completely earthen, at a level grade, and fully seeded with erosion and the required sediment control measures will be in place."

Mr. Hall stated that he had attempted to coordinate with one additional company, Salvagewrights Ltd. Based in Orange, Virginia. He also stated that after initial correspondence was exchanged, no further communication had taken place. He further stated that to his understanding that the company is not interested based on the scale of this project.

Mr. Hall advised Council at the May 1, 2012 Regular Meeting, that Council had approved by a five to two vote the following motion: "to not accept the proposed purchase contract with the developers for the old Elementary School on S. Main Street. Furthermore, 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 also advised Council that the minutes from May 1 was approved at Council May 15 Regular Meeting.

Mr. Hall reported as of June 1, 2012 no party has come forward to City Administration with a business plan and/or financing to save the elementary school and/or auditorium.

He recommended that City staff had followed Council direction from the May 1, 2012 Council meeting, taken the required procurement steps and at this time is prepared to enter into a contractual agreement with Harrell Contracting, Inc. to complete this project. He stated that Council authorization to proceed from this point is needed given the fact that demolition funding included in the FY13 budget has not yet been formally approved.

**Mary Woodruff 24485 Blue Star Hwy**, addressed Council by asking if demolition was to take place soon because the Foundation had requested that the auditorium complex be the last to come down. She stated that the Foundation would like to be the group that makes every effort through a capital campaign to offer the community, organization, and business community the opportunity to make a financial contribution to saving the auditorium complex. She also stated that the Foundation urges Council to give them time to conduct a Capital campaign. She further stated to please grant the Foundation a period of six months to conduct a thorough campaign. She further stated that the Foundation expected the complex renovation to be done in two phase of work. She stated that the first phase would be the cafeteria, kitchen, restrooms, and some exterior improvements. She also stated that the second phase would be the auditorium, and

further exterior improvements. She further stated that demolition of the school from the attached auditorium will leave an open wall that will need to be sealed. She further stated that the Foundation had talked about plans on how that can be done. She stated that Southampton Detention Faculty is willing to help the Foundation with construction of that wall.

Mayor Adams inquired what type of capital campaign the Foundation will be doing. Ms. Woodruff advised Council that designated people who can give the most monies will be the first targets in the capital campaign.

Mayor Adams inquired if the Foundation will be running the capital campaign themselves or will it be done by a specialist. Ms. Woodruff stated that as of now Foundation will be running the campaign themselves. She also stated that the Foundation Board will meet and determine the best course of action for the capital campaign.

Mayor Adams inquired if it was the intent of the Foundation to own the property. Ms. Woodruff advised Council no the Foundation had not envisioned owning the property because the Foundation is dependent on the Community for financing.

Mayor Adams inquired what would be the projected cost of operation. Ms. Woodruff stated that she did not have an amount.

Mayor Adams inquired what the estimated cost for renovations of the complex. Ms. Woodruff stated that it would be \$2 million dollars.

Councilman Saunders stated that if Council granted the Foundation the six months, will the Foundation be willing to assist with securing the wall. Ms. Woodruff advised Council, yes the Foundation will be willing to assist with securing the wall and that the Foundation had already discussed that matter.

Councilman Saunders made a motion to accept Harrell Contracting, Inc. bid for demolition of the school, but however leaving the auditorium standing along with the side hallway for six months allowing the Foundation time for there capital campaign to report back, seconded by Councilwoman Temple, which passed as follows:

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

#### ***12-43. Belfield Business District Planning Grant – Appropriation Ordinance***

Mr. Thrower reported that the City of Emporia made application and was awarded a planning grant by the Virginia Department of Housing and Community Development (DHCD) for the Belfield Business District. He also reported that the grant was \$35,000.00. He further reported that a local match of \$10,000 is required. He further reported that the grant agreement with DHCD had been executed and that the City was ready to begin working on the project.