

**MINUTES  
EMPORIA CITY COUNCIL  
CITY OF EMPORIA MUNICIPAL BUILDING  
February 19, 2013**

*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, February 19, 2013 at 7:30 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 Carolyn S. Carey, Council Member offering the invocation.

**ROLL CALL**

The following City Council members were present:

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

Others present: Mary L. Person, Mayor  
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  
W. S. Harris, Jr., Treasurer  
Joyce E. Prince, Commissioner of the Revenue

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, February 5, 2013, City Council Regular meeting minutes as presented, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye

Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye

## **APPROVAL OF BILLS**

A listing of the February 19, 2013 bills was presented to City Council members.

General Fund	\$	1,037,249.11
Utility Fund	\$	86,903.83

Councilwoman Mercer moved to approve the February 19, 2013 bills as presented, seconded by Councilwoman Lynch, which passed as follows:

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

Mayor Person stated that she would like to recognize and welcome Troop #232 from Purdy to tonight's meeting. She also stated that Troop #232 were attendance and working on a merit badge for Citizenship in the Community.

### **AGENDA APPROVAL**

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

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

### **NEW BUSINESS**

#### ***13-05. Department of Environmental Quality Grant Funds – Appropriation Ordinance***

Mr. Thrower stated that the City of Emporia has been awarded a grant from the Department of Environmental Quality in the amount of \$7, 216 for the Litter Prevention and Recycling Program. He also stated that Council will need to appropriate these funds into the current operating budget in order for the City to utilize this award.

Councilman Ewing made a motion to adopt **Ordinance No. 13-03** to appropriate the sum of \$7,216.00 in Grant Funds from the Department of Environmental Quality for Litter Prevention and Recycling, seconded by Councilwoman Temple, which passed as follows:

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

#### ***13-06. Fire Program Funds – Appropriation Ordinance***

Mr. Thrower stated that the City annually receives grant funds from the Virginia Department of Fire Programs through Greensville County for the Emporia Volunteer Fire Department. He also stated that the City did not include this grant in the current operating budget, due to the fact that the City was unsure of the amount that the City would receive. He further stated that the City had received \$2,192.00 from Greensville County from the prior fiscal year. He stated that Council will need to appropriate the sum of \$2,192.00 into the FY13 operating budget so that the Emporia Volunteer Fire Department can utilize these grant funds.

He recommended that Council approve the ordinance.

Councilwoman Temple made a motion to adopt **Ordinance No. 13-04** to appropriate the sum of \$2,192.00 in grant funds from the Virginia Department of Fire Programs which was received from the County of Greensville for Fire Programs, seconded by Councilwoman Carey, which passed as follows:

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

***13-07. City Council Retreat – Request to Approve Dates***

Mr. Thrower stated that the City Clerk has contacted Council regarding available dates to hold the Council annual retreat. He also stated that the dates of Friday, March 29<sup>th</sup> and Saturday, March 30<sup>th</sup> appear to be the dates everyone is available. He further stated that the VPI Extension Office is also available for use that weekend.

Mr. Thrower stated that he will be putting the agenda together over the next month. He also stated that if Council would like specific items included for discussion to let him know.

He recommended that Council approve holding the Council retreat on the dates of March 29<sup>th</sup> and March 30<sup>th</sup> at the VPI Extension Office.

Councilwoman Mercer moved to approve holding the Council retreat on March 29<sup>th</sup> and 30<sup>th</sup> at the VPI Extension Office, seconded by Councilman Harris, which passed as follows:

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

***13-08. Water and Sewer Tap Fees – Request by Council Member White***

Mr. Thrower stated that Councilwoman Doris T. White requested that this item be placed on the Agenda.

Councilwoman White stated that she thought it would be reasonable to ask that the fees go back to \$3,500.00 what they were prior to the last increase of \$7,500.00. She also stated that the problem she sees is that the fees are due before a building permit is issued. She further stated that with this fee being as high as it is a homeowner would be put under much stress to come up with such a payment. She stated that by allowing this to be paid prior to the final completion, a

homeowner would be able to have the money distributed by there lender. She also stated that no bank typically advance money prior to work being done. She further stated that in many cases not only is the City requiring this up front but they don't actually make the tap until the final stage of the construction.

Councilwoman White made a motion that Water and Sewer Tap fees return back to \$3500.00. The motion was not second.

Mayor Person stated that the motion failed.

### ***13-09. Boards and Commission – Various Term Expirations***

Mr. Thrower stated that the City of Emporia has several members on its Boards and Commissions whose terms will expire soon. He stated that they are as follows:

***Planning Commission*** – On January 6, 2013 Nancy Squire's (4) four year term on the Planning Commission expired. Mrs. Squire has indicated that she does wish to be considered for reappointment.

Councilman Harris moved to reappoint Nancy Squire to serve another four years term on the City's Planning Commission, seconded by Councilwoman Carey, which passed as follows:

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

***Emporia Redevelopment & Housing Authority*** - On January 6, 2013 William Stainback's (4) four year term on the Emporia Redevelopment & Housing Authority expired. Mr. Stainback has indicated that he does not wish to be considered for reappointment.

Councilman Harris moved to nominate John Belmont to serve a four year term on the Emporia Redevelopment & Housing Authority Board.

Councilman Harris moved to appoint John Belmont to serve a four year term on the Emporia Redevelopment & Housing Authority Board, seconded by Councilman Ewing, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Carol Mercer	aye
Councilwoman Carolyn S. Carey	aye

Councilwoman L. Dale Temple                      aye

***Industrial Development Authority*** – Effective, February 28, 2013, the four (4) year term of Mr. Vincent Lowery and Mrs. Gloria Robinson will expire on the City’s Industrial Development Authority Board. Both individuals have indicated that they do wish to be considered for reappointment.

Councilman Harris moved to reappoint Mr. Vincent Lowery and Mrs. Gloria Robinson to serve another four year terms on the City’s Industrial Development Authority Board.

Councilman Harris moved to reappoint Mr. Vincent Lowery and Mrs. Gloria Robinson to serve another four year terms on the City’s Industrial Development Authority Board, seconded by Councilwoman Carey, which passed as follows:

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

***Board of Zoning Appeals*** - On February 28, 2013 the 5-year term of Mr. Doug Jessee, Jr. and Mr. R. W. Little, Jr. on the City’s Board of Zoning Appeals will expire. Mr. Jessee has stated that he does wish to be considered for reappointment and Mr. Little has stated that he does not wish to be considered for reappointment. All nominations for the City’s Board of Zoning Appeals must be provided to Greenville County Circuit Court for consideration and official appointment.

Councilman Harris moved to nominate Doug Jessee, Jr. for consideration to serve another five year terms on the City Board of Zoning Appeals.

Councilman Harris moved to nominate Doug Jessee, Jr. name for submission to the Greenville County Circuit Court for consideration and official approval to serve another five year terms on the Board of Zoning Appeals, seconded by Councilman Ewing, which passed as follows:

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

Councilman Harris moved to nominate Vincent Lankford for consideration to serve a five year terms on the Board of Zoning Appeals formerly held by R. W. Little, Jr.

Mayor Person stated that this item will be held until the March 5, 2013 Council meeting.

## PUBLIC COMMENT

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

*Clinton Slate, 103 Beech Tree Lane*, addressed Council with concerns about the water and sewer tap fees being due first before building permit are issued. He also stated that those fees should be collected at the end of the construction process and prior to the certification of occupy being issued and it was be less stressful for the homeowner.

Councilman Harris suggested that this item be added to the agenda for the Council Retreat in March.

*Thelma Dugger, 207 Lowground Road*, addressed Council with concerns about the crimes in the community. She also stated that she had concerns with nothing being available in the area for the City youths to do.

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

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

Councilman Ewing moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (1) a **personnel matter involving the salary or other compensation of a specific employee**, seconded by Councilwoman Carey, which passed as follows:

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

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

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

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**CERTIFICATION**

Councilwoman Lynch 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.

Councilman Harris made the motion authorizing a bonus of \$500 be paid to City Clerk Tessie Wilkins in gratitude for assisting in the Treasurer’s Office/Water and Sewer Department during the time period of November 1, 2012 through March 1, 2013 Councilwoman Temple seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye
Councilwoman Carol Mercer	aye
Councilwoman Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

**ADJOURNMENT**

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

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Mary L. Person, Mayor

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Tessie S. Wilkins, City Clerk