

PUBLIC HEARING

1. Farmers Market Properties – Request for Authorization to Sell Lots

Emporia's City Council held a public hearing on Tuesday, July 6, 2010, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Adams presided over the public hearing.

The following City Council members were present:

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV

Others present:

Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Steven B. Hall, Assistant City Manager
Brian S. Thrower, City Manger
Tessie Wilkins, City Clerk
Bernard Richardson, Chief of Police
Royal Jones, Public Works Director

Absent: Councilwoman L. Dale Temple

1. Farmers Market Properties – Request for Authorization to Sell Lots

Mr. Thrower stated that he had solicited proposals for the two City owned lots located on N. Main Street between Valley Street and Virginia Avenue. He also stated that those parcels are identified as Tax Map numbers 162-A-12 and 142-A-103.

He stated that proposals were due no later than Friday, June 11 by 4:00 p.m. He also stated that the lone bid for the properties was submitted by Lifestar. He further stated that the assessed value of the properties is \$74,100. He advised that Lifestar plans to use the lots for additional staff and customer parking. He also advised that a landscaping plan was included in the proposal by Lifestar.

He stated that selling these parcels will more than cover the additional expense of constructing the new Farmers Market located beside the Post Office.

Mr. Thrower recommend that Council authorize selling the current Farmers Market lots to Lifestar for the offer price of \$102,000 contingent upon Lifestar adhering to the landscaping plan submitted with its offer and allowing the City to use the lots until the new Farmers Market facility currently being constructed is ready for use. He stated that if authorized, the City Attorney will prepare the legal documents necessary for conveyance.

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

With there being no comments, 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
July 6, 2010**

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

Emporia City Council held a regular meeting on Tuesday, July 6, 2010, 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 Saunders, President, offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV

Others present: Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manger
Steve B. Hall, Assistant City Manager
Tessie Wilkins, City Clerk
Bernard Richardson, Chief of Police
Royal Jones, Public Works Director

Absent: Councilwoman L. Dale Temple

MINUTES APPROVAL

Councilman Saunders moved to approve the minutes from the June 15, 2010, Community and Economic Development Discussion, and regular City Council meeting, as presented, seconded by Councilman White, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye

Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

AGENDA APPROVAL

Mayor Adams reported that the Commissioner of Revenue requested that *Item 10-58* be removed.

Councilman Saunders moved to approve the agenda as amended, seconded by Councilman Lankford, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

NEW BUSINESS

10-53. Farmers Market Properties – Request for Authorization to Sell Lots

Mr. Thrower recommended Council authorize selling the current Farmers Market lots to Lifestar for the offer price of \$102,000 contingent upon Lifestar adhering to the landscaping plan submitted with its offer and allowing the City to use the lots until the new Farmers Market facility currently being constructed is ready for use. He stated that if authorized, the City Attorney will prepare the legal documents necessary for conveyance.

Councilman Saunders made a motion to authorize selling the current Farmers Market lots to Lifestar for the offer price of \$102,000 contingent upon Lifestar adhering to the landscaping plan submitted with its offer and allowing the city to use the lots until the new Farmers Market facility currently being constructed is ready for use, seconded by Councilman Lankford, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

10-54. Fire Department Pumper – Request to Submit Funding Application to USDA Rural Development

Mr. Thrower stated that the Fire Committee has been discussing replacement of the Emporia Volunteer Fire Department's #32 Pumper the last few years. He also stated that the Request for Bids have been prepared and is ready to be issued.

He advised that the City Administration has been in contact with the local USDA Rural Development office regarding grant and loan programs available to fund the new Pumper. He also advised that the American Recovery and Reinvestment Act (ARRA) funding is available through Rural Development to help with the purchase of this vehicle.

He stated that the new Pumper is expected to cost up to \$500,000. He also stated that a maximum of \$200,000 is available in the form of grant funding through Rural Development for this vehicle. He further stated that the difference in grant funding available and the actual cost of the vehicle would be covered by a low interest loan through Rural Development, should Council authorize submittal of the funding application. He stated that Greensville County, as City funding partner, has committed to the purchase of this vehicle and is supportive of submitting this application.

He recommended that Council authorize City Administration to submit a funding application to USDA Rural Development to assist with the purchase of a new Pumper Truck for the Emporia Volunteer Fire Department.

Councilman Harris made a motion to authorize the City Administration to submit a funding application to USDA Rural Development to assist with the purchase of a new Pumper Truck for the Emporia Volunteer Fire Department, seconded by Councilman Lankford, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

10-55. West Atlantic Street Project – Appropriation Ordinance

Mr. Hall stated that the City was notified on Monday, June 28 that the Phase I contract for the West Atlantic Street Project had been completed and would be dated June 29, 2010. He also stated that per correspondence received from Matt Fitzgerald of the Virginia Department of Housing and Community Development the document is awaiting additional signatures and would be sent to the City for execution thereafter.

He advised that Phase I Community Development Block Grant activities will total \$900,000. He also advised that the ordinance also appropriates the funds and

designates the City Manager, as the City's chief administrative official, to authorize the expenditure of said funds to implement the project.

Mr. Hall recommended Council to approve the appropriation ordinance 10-30.

Councilman Harris moved to approve **Ordinance 10-30** appropriating the sum of \$900,000 in grant funds from The Virginia Department of Housing and Community development as requested. Councilman Lankford seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

10-56. *Homeland Security Grant (DCJS) – Appropriation Ordinance*

Mr. Thrower stated that the City of Emporia was awarded a State Homeland Security Program Grant by the Virginia Department of Criminal Justice Services. He also stated that this grant consists of \$17,000 and is designated for the purchase of a license plate reader. He further stated that the license plate reader, also known as an automated license plate recognition system (ALPR), consists of three cameras mounted to the light bar of a patrol car and is capable of checking 3600 license plates per minute. He advised that an officer on patrol will be notified when the system detects a stolen/wanted car.

He stated these funds were appropriated into the FY10 operating budget on May 4, 2010. He also stated that this project has not been completed as of June 30, 2010 and the funds were neither received nor expended. He further stated that in order for the Police Department to utilize these funds, Council will need to appropriate the funds into the current year budget. He advised that the DCJS will reimburse the City's General Fund Revenue Account for \$17,000 once all expenditures are submitted to it for approval. He also advised that the City will provide a \$482 match.

Mr. Thrower recommended that Council adopt Ordinance No. 10-29 to appropriate the sum of \$17,000 in DCJS Homeland Security Grant Funds.

Councilman White made a motion to adopt **Ordinance No. 10-29** to appropriating the sum of \$17,000 in DCJS Homeland Security Grant Funds, seconded by Councilwoman Carey, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye

Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

10-57. 4 Way Stop – Peachtree and Jefferson Streets

Mr. Thrower advised that last year Council authorized and directed City staff to install 3 and 4 way stop signs at various residential locations. He also advised that residents in the vicinity of the intersection of Peachtree and Jefferson have complained about the 4 way stop at this location due to increased noise associated with vehicles having to stop and start, as well as loud music emanating from radios of stopped vehicles. He further advised that they have requested the additional stop signs that were erected at this location be taken down.

He stated that two additional signs were placed on Jefferson Street, thus creating a 4 way stop at this intersection. He also stated that given the fact that this 4 way stop was part of an overall plan including additional stop signs that were eventually taken down, one could question the effectiveness of only having one 4 way stop on Jefferson Street.

He stated due to the fact that Council initially approved and directed staff to erect the 4 way stops at each location, I am seeking your input as to whether City staff is authorized to take the two additional signs placed at this intersection down.

Councilman Saunders made a motion to authorize City staff to take the two additional signs placed at the intersection of Peachtree and Jefferson, seconded by Councilman Lankford, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	nay
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

Councilman Saunders addressed Chief Bernard Richardson and asked if the noise ordinance that was passed was it being enforced because the City is getting constant complaints due to the noise. Chief Bernard Richardson stated that the noise ordinance is being enforced City Wide but not in that particular area. Mayor Adams stated that one of the problems the Police Officers are having is the fact that people with the vibrating cars see Police Officers and then turn the music down. He suggested that the officers park somewhere or use bicycles to ticket those individuals.

Mayor Adams asked Chief Richardson if he knew how many tickets have been written for noise ordinance violations. Chief Richardson stated he did not know exactly how many tickets had been written.

Councilman Harris reported that Councilwoman White suggested that the monthly Police reports include the number of noise violations issued each month.

Councilman Harris inquired if having the 4 Way stop sign served the purpose of slowing the speeding down through that area.

Councilman Saunders inquired if it was legal to use someone's private driveway to watch for violators. Chief Richardson stated that it is legal to use private property as long as the property owner has given permission.

10-59. VPI extension Office – Request to Hire a Part – Time Employee

Mr. Thrower stated that Dan Goerlich, Central District Director and Morris White, Unit Coordinator of the Virginia Cooperative Extension (VEC) are in attendance this evening requesting permission to use funds allocated in the FY11 budget to support hiring a part-time Agriculture and Natural Resources position. He also stated that they are not requesting any additional funding to support this position.

He advised that Dan Goerlich and Morris White are present to update Council on VEC redistricting and to thank the City for its support of the local office.

Dan Goerlich, Central District Director, stated that in November 2009 the Virginia Cooperative Extension went through a redistricting process where VCE went from having 6 districts to 4 districts. He also stated that Greenville-Emporia extension office is now part of Central District where it used to be part of Southeastern District whereas Lonnie Johnson is Director.

Mayor Adams inquired where the VCE regional office is located. Mr. Goerlich stated that the Central District office is located in Danville. Mr. Goerlich also stated that the Central District stretches from Patrick County into Greenville-Emporia and up to James River.

Mr. Goerlich stated that he wanted to thank the City of Emporia and Greenville County for its support of the local Extension office. He also stated that they have two good employees in that office, Mr. Morris White and Mrs. Amy Moore. He further stated that Mrs. Moore just received the Epsilon Sigma Phi outstanding extension agent award with less than five years of experience.

Mr. Goerlich stated that VCE is requesting permission from Emporia City Council to use money allocated by the city in support of the Agriculture and Natural Resource Position. He also stated that on June 21, 2010 the same request was also made to the Greenville County Board of Supervisors. He further stated that VCE will combine these resources with those provided by the Greenville County to fund a part-time ANR project associate for the City of Emporia and the Greenville County areas.

Mr. Goerlic stated that Mr. Thrower sent him four questions on behalf of the council that he would like to address at this point:

1. **What is the total cost of filling this position?** He advised that the total cost to fund this position is \$18,092 which the County allocated \$9,355 toward the salary of previous AR agent, \$1,572 toward the salary of district farmer business manger agent. He also advised that the City of Emporia allocated \$5,606 toward the salary of AR agent and \$1,559 toward the salary to the district farmer business manger agent.
2. **What is City cost for portion of filling this position?** He advised that City cost is \$7,165 which is already allocated in FY11 budget.
3. **What would be the growth saving of hiring a part-time employee instead of full-time employee if approved?** He advised that there is not a growth savings because VCE does not have the option of a full time employee unless the City and County wants to allocate additional money for a full time County and City funded employee.
4. **Will part-time employee be given any fringes benefits if approved and if so please calculate?** He advised Council that fringes benefits are included with part-time employees. These benefits include social security, worker compensation, unemployment, and insurance which are madantory. He also advised that if someone who is employed over 32 hours per week their fringe benefits will include retirement, medical, or life insurance. He further advised that Greensville County has already allocated \$3,040 towards the fringe benefits for Cyndi Estienne and \$511 for Mike Roberts. He advised that the City of Emporia has already allocated \$1,822 towards the fringe benefits of Cyndi Estienne and \$507 for Mike Roberts. He also advised that the City and County have already allocated \$5,880 for fringe benefits.

Mr. Goerlic stated that in summary if VCE takes the \$18,092 to put towards the salary of a part time employee, the VCE can hire a Project Associate for 25 hour at salary of \$14.47 per hour. He also stated that the County approved the same request at the June 21, 2010 Board Meeting. He further stated that the County and City are welcome to have a representative on the interview panel. He advised that Mr. Morris White will be their individual supervisor.

Mayor Adams inquired what are the functions of Morris White and Amy Moore. Mr. Goerlic advised that Mr. White is the 4-H Agent and Ms. Moore is the family Consumer Science Agent.

Mayor Adams reported that at the present time the City of Emporia and Greensville County do not have an ANR agent, so what resources do the farmers have from VCE now? Mr. Goerlic advised that they do have an ANR agent in Brunswick County, Dinwiddie County, and Isle Wright County that have filled in call for the areas.

Mayor Adams inquired if the ANR agent would be on call for other area Counties. Mr. Goerlic stated no, if ANR is paid by City of Emporia and Greensville County then ANR will serve for only those areas.

Councilman Saunders stated because of the cut from state level the City has to accept a part-time Extension Agent but continue to fund City side as if it was full time. Mr. Goerlic stated that that this was correct. Councilman Saunders inquired how difficult would it be to find a qualified part-time person willing to work 25 hours per week rather than in a full time environment with full time benefits. Mr. Goerlic advised that VCE has successfully done this before. Councilman Saunders inquired how would farmers be aware of how to contact the ANR. Mr. Goerlic advised that the ANR agent will have set office hours.

Councilman Harris inquired if Mr. Goerlic had requested this part-time position through VCE chain of commands. Mr. Goerlic advised that he did not go through VCE chain and was not familiar with it.

Mayor Adams advised Mr. Goerlic to follow VCE chains of commands and to report back to the next meeting.

PUBLIC COMMENT

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

Stuart Veliky, 236 Purdy Road, addressed Council stating that he would like to see Emporia Police Officers run their dash camera at all time.

Mayor Adams inquired if Emporia Police Officers ran their dash cameras all the time. Chief Richardson advised that the Emporia Police Office don't run their dash camera all the time because the dash cameras are digital.

Mr. Veliky stated that he received a ticket for no reason from a dishonest Cop and would like for that to not happen again.

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

*****Closed Session*****

Councilwoman White moved that Closed Session be entered for the purpose of discussing Virginia Code **§2.2-3711(A) (7) Legal matter requiring the advice of counsel**. Councilman Lankford seconded the motion, which passed as follows:

Councilman F. Woodrow Harris

aye

Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

*****Regular Session*****

Councilman Harris 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 Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

CERTIFICATION

Councilman Harris 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 White seconded the motion, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	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