

PUBLIC HEARINGS

- 1. Conditional Use Permit Request – Wiggins Road – AT&T Mobility**
 - 2. Enterprise Zone Incentives – Request to Adopt Ordinance**
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Emporia's City Council held a Public Hearing on Tuesday, June 18, 2013, at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the session.

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James E. Ewing, III
Councilwoman 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 Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue
Ken Ryals, Emergency Service Coordinator
Sheila Cutrell, Finance Director
Don Wyatt, Chief of Police

1. Conditional Use Permit Request – Wiggins Road – AT&T Mobility

Mr. Thrower reported that AT&T Mobility applied for a conditional use permit to co-locate three additional antennas to its existing wireless telecommunications facility located off of Wiggins Road. He stated that according to the applicant, "the antenna will be located at the same elevation on the tower as the existing antennas. A new cabinet will be added inside the existing shelter." He also stated that the property was located off of Wiggins Road in the, I-1 Industrial Zoning District identified as City Tax Map Number 120-A-0-16.

Mr. Thrower stated that the City Code section 90-78 (b) allowed for "Telecommunications towers and co-location on an existing telecommunication tower with conditional use permit." He also stated that City Code section 90-1 states "Telecommunications tower means a wireless, cellular or personal communications service antenna, its antenna support structure, accessory buildings and parking, and may include other uses associated with and ancillary to providing wireless communication, cellular communications, or personal communications services. He further stated that any wireless, cellular, personal communication

or other service antenna addition to an existing telecommunications tower shall be known as co-location on an existing tower.”

Mr. Thrower stated that the Planning Commission reviewed the request at its June 11, 2013 meeting and issued a recommendation of approval. He also stated that he recommended that Council approve this request given the fact that adding the new antenna will not burden City services; neither requires infrastructure improvements, nor negatively impact adjacent property owners and will not generate additional traffic.

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

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

2. Enterprise Zone Incentives – Request to Adopt Ordinance

Mr. Thrower stated that the City of Emporia and Greensville County were awarded a joint Enterprise Zone Designation earlier this year through the Virginia Department of Housing and Community Development (DHCD). He also stated that as part of the application process, both localities were required to submit proposed local incentives with the application package.

Mr. Thrower stated that the City’s local Enterprise Zone incentives included: Façade Improvement Grants, Business Incubation Grants, Business, Professional, and Occupational License Grants, Machinery and Tools Investment Grants, Business Personal Property Investment Grants, Real Estate Tax Abatements, Water and Sewer Tap Fee Waivers, Permit Fee Waivers and Loan Pool Program.

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

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

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
June 18, 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, June 18, 2013 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Bishop Vincent Lowery offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James E. Ewing, III
Councilwoman 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 Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue
Ken Ryals, Emergency Service Coordinator
Sheila Cutrell, Finance Director
Don Wyatt, Chief of Police

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, June 4, 2013, Public Hearing and City Council Regular meeting minutes as presented, seconded by Councilwoman Mercer, 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 June 18, 2013 bills was presented to City Council members.

General Fund	\$	832,676.28
Utility Fund	\$	83,074.70

Councilwoman Temple moved to approve the June 18, 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.

AGENDA APPROVAL

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

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman 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

13-32. Conditional Use Permit Request – Wiggins Road – AT & T Mobility

Mr. Thrower reported that AT&T Mobility applied for a conditional use permit to co-locate three additional antennas to its existing wireless telecommunications facility located off of Wiggins Road. He stated that according to the applicant, “the antenna will be located at the same elevation on the tower as the existing antennas. A new cabinet will be added inside the existing shelter.” He also stated that the property was located off of Wiggins Road in the, I-1 Industrial Zoning District identified as City Tax Map Number 120-A-0-16.

Mr. Thrower stated that the City Code section 90-78 (b) allowed for “Telecommunications towers and co-location on an existing telecommunication tower with conditional use permit.” He also stated that City Code section 90-1 states “Telecommunications tower means a wireless, cellular or personal communications service antenna, its antenna support structure, accessory buildings and parking, and may include other uses associated with and ancillary to providing wireless communication, cellular communications, or personal communications services. He further stated that any wireless, cellular, personal communication or other service antenna addition to an existing telecommunications tower shall be known as co-location on an existing tower.”

Mr. Thrower stated that the Planning Commission reviewed the request at its June 11, 2013 meeting and issued a recommendation of approval. He also stated that he recommended that Council approve this request given the fact that adding the new antenna will not burden City services; neither requires infrastructure improvements, nor negatively impact adjacent property owners and will not generate additional traffic.

Councilman Harris made a motion to approve this request given that the fact adding the new antenna will not burden City services; neither requires infrastructure improvements, nor

negatively impact adjacent property owners and will not generate additional traffic, 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

13-33. Enterprise Zone Incentives – Request to Adopt Ordinance

Mr. Thrower stated that the City of Emporia and Greensville County were awarded a joint Enterprise Zone Designation earlier this year through the Virginia Department of Housing and Community Development (DHCD). He also stated that as part of the application process, both localities were required to submit proposed local incentives with the application package.

Mr. Thrower stated that the City’s local Enterprise Zone incentives included: Façade Improvement Grants, Business Incubation Grants, Business, Professional, and Occupational License Grants, Machinery and Tools Investment Grants, Business Personal Property Investment Grants, Real Estate Tax Abatements, Water and Sewer Tap Fee Waivers, Permit Fee Waivers and Loan Pool Program.

Councilwoman Temple made a motion to adopt **Ordinance No. 13-08** which incorporates these incentives into the City Code, 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

13-34. Proposed FY14 General and Utility Fund Budgets

Mr. Thrower reported that after reviewing and discussing the proposed budget over several work sessions, the FY14 General Fund budget totaled \$19,996,298.00, which includes a two cent real property tax increase. He stated that the departmental and external organization requested a total of \$20,985,465.00. He also stated that his recommended budget totaled \$20,206,841.00.

Mr. Thrower stated that the existing City initiatives, including the S. Main Street project, W. Atlantic Street Neighborhood Improvement project, Farmers Market Trailhead project, Citizens National Bank Building project, and E. Atlantic Reconstruction project were all included in the proposed budget. He stated that the new initiatives to facilitate economic

development related activities, include acquisition of property, as well as implementation of Façade Improvement Grant and Business Incubation Grant programs will support our recent Enterprise Zone designation.

Mr. Thrower stated that the FY14 Utility Fund budget stood at \$15,256,892.00. He also stated that the Departmental requests for this budget total \$15,198,045.00. He further stated that his recommended budget totaled \$15,256,892.00.

Mr. Thrower stated that per USDA Rural Development funding guidelines, associated with the Water Treatment Plant and Distribution System Upgrade project to re-coup the declines in water revenue, water rates would be significantly increased in FY14. He also stated that there is no proposal to increase sewer rates.

Mr. Thrower reported that the proposed FY14 water rates were as followed:

Minimum 2,000 gallons	\$17.66 – 19.6%
Next 48,000/1,000	\$ 7.90 – 45.0%
Over 50,000/1,000	\$ 4.98 – 19.6%

Councilman Harris made a motion to approve the proposed FY13-14 General and Utility Fund budgets and **Ordinances No. 13-09 through 13-11** as related to the budgets, 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

Councilman Harris stated that it was important to point out that the proposed FY14 Emporia budget contains an additional \$190,298 in local funding from the taxpayers of the City of Emporia. He also stated that Greensville County funded a slightly larger amount. He further stated that the school system was receiving over \$400,000.00 in new local revenues. He stated that additional state money was allocated in the Virginia budget for the state share of teacher salary increases.

Councilman Harris stated that many people may not be aware that local governments do not set local school budget. He also stated that under Virginia's law that there are two options available to localities: budget by 7 very broad categories such as instruction, transportation, food service and etc. or fund on a lump sum basis. He further stated that during Council budget discussions, Council clearly indicated that the increased amount allocated to schools was intended to cover additional costs for Wyatt Middle School renovations, the local share of teacher salary increases and the local match for the state security grant. He stated that the school board had not chosen to put up the 25 percent local share to access the state money for the security improvements. He also stated that he finds it difficult to believe, but the board apparently felt it was more appropriate to fund teacher early retirement rather than access this grant. He further stated that the board felt it was more important to eliminate academic pursuits such as quiz bowls and forensics rather than cutting back on sport teams spending.

Councilman Harris stated that he thinks it's time for Emporia and Greensville to revisit the concept of doing the school budget by category and will ask the City manager to put this on a future agenda for discussion. He also stated that we do not currently budget by category, and he doesn't think it would be appropriate to renege on Council vote and reduce the \$11,750 in additional funding the City approved previously for this security grant, but the school board's actions do little to reassure him that the citizens' tax dollars are being well spent.

13-35. 2013 Fourth of July Fire Works

Mr. Thrower stated that City Administration had received a request from the Emporia-Greensville Chamber of Commerce to host the Fourth of July Fireworks Display. He also stated that Emporia's Code of Ordinances requires City Council's approval to permit such display by adoption of a resolution.

Councilwoman Carey made a motion to adopt **Resolution No. 13-05** authoring the use and display of Fireworks by the Emporia-Greensville Chamber of Commerce, 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

13-36. Southside Virginia Education Center Board of Directors – Term Expiration (Mary L. Person)

Mr. Thrower stated that on July 1, 2013, Mayor Mary L. Person's three-year term on the Southside Virginia Education Center Board of Directors will expire. He also stated that Mayor Person had indicated that she does wish to be considered for reappointment.

Councilman Harris made a motion to reappoint Mayor Mary Person to serve another three-year term on the Southside Virginia Education Center Board of Directors, 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

13-37. Meherrin Regional Library Board – Term Expiration (Betsy Sharrett)

Mr. Thrower stated that on June 30, 2013, Betsy Sharrett's four-year term on the Meherrin Regional Library Board would expire. He also stated that Mrs. Sharrett had served the maximum length of time allowed and is not eligible to be reappointed.

Councilwoman Temple nominated Jane Lee to serve a four-year term on the Meherrin Regional Library Board.

Councilman Harris made a motion to appoint Jane Lee to serve a four-year term on the Meherrin Regional Library 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

13-38. Planning Commission Term Expirations – William Newsome/Richard Short)

Mr. Thrower stated that on June 30, 2013, the four-year term of Mr. William Newsome and Mr. Richard Short on the City's Planning Commission will expire. He also stated that both individuals had indicated that they do wish to be considered for reappointment.

Councilwoman Temple made a motion to reappoint Mr. William Newsome and Mr. Richard Short to serve another four-year term on the City's Planning Commission, 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

13-39. District 19 Community Services Board – Term Expiration (George W. Pugh)

Mr. Thrower stated that on June 30, 2013, Mr. George W. Pugh's three-year term on the District 19 Community Services Board would expire. He also stated that Mr. Pugh had indicated that he does not wish to be considered for reappointment.

Mayor Person stated that this item be held until the July 16, 2013 Council meeting.

13-40. Southside Community Criminal Justice Board Expirations – William S. Newsome/Dr. Philip L. Worrell/F. Woodrow Harris

Mr. Thrower stated that on June 30, 2013, the four-year term of Mr. William Newsome, Council Member F. Woodrow Harris and Dr. Philip Worrell on the Southside Community Criminal Justice Board Will expire. He also stated that Dr. Worrell and Council Member Harris

had indicated that they do wish to be considered for reappointment. He further stated that Mr. Newsome had indicated that he does not wish to be considered for reappointment.

Councilwoman Temple made a motion to reappoint Council Member F. Woodrow Harris and Dr. Philip Worrell to serve another four-year term on the Southside Community Criminal Justice Board, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	abstained
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

Mayor Person stated that the appointment for William Newsome's term on the Southside Community Criminal Justice Board be held until the July 16, 2013 Council meeting.

13-41. Southside Community College Board – Term Expiration (Peggy Jones)

Mr. Thrower stated that on June 30, 2013, Ms. Peggy Jones' three-year term on the Southside Community College Board will expire. He also stated that Ms. Jones had indicated that she does not wish to be considered for reappointment.

Mayor Person stated that this item be held until the July 16, 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.

With there being no 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) **legal matter requiring the advice of counsel pertaining to Social Services funding**, 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

*****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

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.

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

ADJOURNMENT

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

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk

