

## PUBLIC HEARINGS

---

- 1. Water Treatment Plant and Distribution Line Upgrade Project – Request to Approve Bond**
  - 2. Proposed FY12 General and Utility Fund Budgets**
- 

Emporia's City Council held a Public Hearing on Tuesday, June 7, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Jim Saunders, President of Council 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

Absent: Samuel W. Adams, III, Mayor

### **1. Water Treatment Plant and Distribution Line Upgrade Project – Request to Approve Bond Resolution**

Mr. Thrower stated that the City of Emporia is moving forward on the water treatment plant and distribution line upgrade project. He also stated that one required step in the process entails holding a public hearing on the proposed issuance of general obligation and revenue water system bonds to finance this project. He further stated that the principal amount of these bonds shall not exceed \$10,837,000. He stated that these forty-year bonds shall bear interest at the rate of 2.375% or lower, depending on the current interest rate at the time of bond issuance.

James Saunders, President of Council, asked if anyone wished to speak concerning the matter.

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

### **2. Proposed FY12 General and Utility Fund Budgets**

General Fund Budget

Mr. Thrower stated that after reviewing and discussing his proposed General Fund budget over the several work sessions, Council FY12 General Fund budget totals an amount of \$18,682,011. He also stated that this increase of \$844,241 over the approved FY11 budget is primarily attributed to the inclusion of new major capital expenditures including the purchase of one new fire truck (\$485,159), two new sanitation trucks (\$500,000), and increased contributions to and loss of budgeted revenue from the Southside Regional Jail (\$105,048). He further stated that the departmental and external organization requests totaled \$19,502,139. He stated that the recommended budget totaled \$18,755,211.

Mr. Thrower stated that the new fire truck will be financed through Rural Development over ten years. He also stated that the City obtained a \$25,000 grant through Rural Development to offset a portion of the fire truck cost. He further stated that per the contract between the City of Emporia and Greensville County, this expense will be shared between both localities. He advised that this vehicle was already approved by both governing bodies and is in the process of being built. He also advised that the City will start making payments on the truck upon delivery.

Mr. Thrower stated that the budget also includes the purchase of one new automated residential sanitation truck and one new automated commercial sanitation truck. He also stated that both trucks are estimated to cost \$500,000 and will be financed over seven years. He further stated that the current 2004 and 2005 model trucks are in need of replacement due to excessive wear and constant repairs. He stated that these new automated trucks will only require one employee to operate each vehicle, as opposed to the three currently required under the manual system. He also stated that the City currently has three vacant Sanitation Work positions. He further stated that all three of these positions will be eliminated in order to cover a portion of the new vehicle expenses, as well as to meet the reduced personnel requirements of operating each truck.

Mr. Thrower stated that per his recommendation of structuring sanitation service as a true enterprise fund whereby revenues adequately cover expenses, the City will be increasing sanitation fees \$2.75 per month for residential service and \$0.25/cubic yard for commercial service starting in FY12. He also stated that Council has also tentatively agreed to increase those rates again by the same amounts in FY13 to adequately cover the debt service on the new trucks. He further stated that the new rates for FY12 are as follows:

#### FY12 Sanitation Fees

\$17.75/month (Residential) - \$2.75/month increase

\$4.75/cubic yard (Commercial) - \$0.25/cubic yard increase

Mr. Thrower stated that the City currently runs a deficit of over \$180,000 as it pertains to sanitation service under the current rates and organizational structure. He also stated that the general fund subsidizes this deficit. He further stated that given continued state budget cuts, increasing jail and school expenses, and other community needs that are met within the general fund, it is both his recommendation and a necessity that the City begins treating sanitation service as an enterprise fund. He stated that under his proposal to increase fees, eliminate positions, and purchase new automated trucks, this will occur.

Mr. Thrower stated that another significant increase to City expenses is that of the Southside Regional Jail. He also stated that the City of Emporia contributes nearly 60% to the local portion of jail revenues. He further stated that the Greenville County makes up the other 40%. He stated that the City's share of jail expenses will increase by \$55,048 in FY12. He also

stated that he did not include a jail refund in his proposed budget, as this money has evaporated in recent years due to loss of jail revenues and devastating state budget cuts. He further stated that the combined effect of increased expense (\$55,048) and loss of budgeted revenue (\$50,000) will negatively impact the City's budget approximately \$105,048 in FY12. He stated that over the last five fiscal years the City's budgeted annual jail contribution has increased from \$576,000 in FY08 to \$934,488 in FY12. He reported that it is an increase of \$357,888 over the five year span. He also reported that this figure does not take the loss of jail refunds into account. He further reported that for example, in FY09 the City realized a \$354,000 jail refund. He stated that the projected FY12 refund is \$0.

Mr. Thrower reported that looking beyond FY12, the budgeting process for FY13 is expected to be much more difficult and painful, primarily for two reasons. He stated first the opening of the new Meherrin Regional Jail Scheduled for FY13; the Southside Regional Jail will lose approximately \$716,000 in revenue from the Brunswick County contract, given the fact that Brunswick County will no longer require Southside Regional Jail bed space. He also stated that the City and Greensville County will primarily have to absorb the loss of this revenue. He further stated that the City's percentage (60%) of this loss of revenue is \$429,600. He stated that means the City of Emporia will need to find an estimated \$429,600 in additional funding for the Southside Regional Jail once the new Meherrin Regional Jail is built. He also stated that for comparative purposes, in order to cover an additional \$429,600, the City would have to raise the real estate tax approximately 12 cents. He further stated that secondly, the continued significant local funding cuts to the school system are unsustainable over the long term, given the Jobs Bill money in FY13, the accumulation of state budget cuts, and continued operating and capital needs.

Mr. Thrower stated that given these two issues at hand, the primary choices for the City in FY13 and beyond include significantly increasing the real estate tax rate, levying new taxes such as the cigarette tax, and/or severely cutting civic organizations.

Mr. Thrower stated that the highlights of the FY12 General Fund budget include:

### **Revenues**

- No property tax increases.
- Increase in waste collection revenue due to proposed increased sanitation fees. Proposed sanitation fee increase of \$2.75 for residential service and \$0.25 for commercial service. The proposed monthly residential charge beginning in FY12 is \$17.75. The proposed commercial charge beginning in FY12 is \$4.75/cubic yard.
- Projected stabilization of and slight increases in meals tax, lodging tax, sales tax, and selective enforcement revenues.
- Decrease in budgeted jail revenue of \$50,000.
- Transfer of \$197,095 from Utility Fund to General Fund to cover the S. Main Street Enhancement Project local match requirement and to cover a percentage of personnel expenses associated with administration of the Utility Fund and functions.

### **Expenditures**

- 2% bonus for employees. The last general pay increase for City employees was three years ago on December 1, 2008.
- Elimination of 5 vacant General Fund positions including:

- 3 Sanitation Worker positions – not needed due to the proposed purchase of new residential and commercial trash trucks requiring less personnel staffing
- 1 previously frozen Police Dispatcher position
- 1 previously frozen Motor Pool Mechanic Helper position
- Additional 25% of the City Treasurer’s salary to be allocated to Utility Fund expenses.
- Conversion of 2 Police Lieutenant Positions into entry level Police Officer positions. Sergeant positions will be given a two step (5%) increase due to assuming supervisory responsibilities. Estimated net savings of approximately \$54,000 by restructuring Police Department.
- Restructuring of the Emergency Services Coordinator position to part-time (previously done in current fiscal year) to save approximately \$18,000 (Emergency Services & Risk Management Budget).
- \$14,050 in new expenditures to cover Police, Fire, and Rescue Squad Line of Duty Act costs. This is another new expense pushed to the localities from state.
- VRS debt service payments of \$100,845 completed and eliminated from budget.
- Replacement of 3 City Council laptops at \$2,400 in order to start an annual replacement cycle.
- Purchase of Emergency Notification System at \$12,500.
- Purchase of 2 new sanitation trucks – 1 residential and 1 commercial. These trucks are automated and only require the driver to operate. Both trucks will be financed over 7 years (PW-Sanitation).
- \$15,000 to cover jail clean-up crew costs (PW-Streets).
- \$12,350 for scanner and air compressor (PW-Motor Pool).
- Outright purchase of 2 new police vehicles at \$60,000.
- Purchase of new Fire Truck at \$485,159 to be financed through Rural Development over 10 years. \$25,000 of this expense is grant funding through Rural Development. Greenville County and City of Emporia will split the cost based on contract.
- Purchase of 1 new ambulance for the Rescue Squad. City and County will split financing costs over three years.
- Greenville County School System to be level funded by the City at \$3,246,879.
- Increased City contribution of \$55,048 to the Southside Regional Jail due to increased state budget cuts and increasing medical expenses.
- \$35,000 for Phase 11 of Farmers Market – engineering and construction of bridge behind Farmers Market over creek to tie into park trail.
- Demolition of Bloom Brothers building and repair of party walls estimated at \$80,000. ERGA has contributed \$25,000 to this project.
- Property acquisition at \$30,000.
- \$8,000 to construct a customer service and reception area in Manager’s office. Construction of this partition wall will facilitate a better customer service experience, as well as provide needed safety for employees.
- \$7,000 to upgrade restrooms in Municipal Building.
- \$135,092 to cover architectural services and a portion of the renovation costs of the Bank Building. These are previously borrowed funds which the City has been paying debt service on for years. Increased electricity and heating costs for Bank Building.
- New EGRA entrance park sign at \$2,000.
- Elimination of funding for the Chamber of Commerce (includes \$1,100 for membership dues), American Red Cross, and Village View.
- Slight funding increases for the YMCA and Peanut Festival.
- Operating/capital reserve line item of \$33,506 which includes a required reserve for the purchase of the new Fire Truck and previously purchased police vehicles.

## Utility Fund Budget

Mr. Thrower stated that FY12 Utility Fund budget stands at \$14,718,575. He also stated that the proposed increase over the FY11 budget is attributed to the inclusion of the Water Treatment Plant and Distribution Line Upgrade Project into the budget. He further stated that the departmental requests for this budget totaled \$14,838,121. He stated his recommended budget totaled \$14,718,575.

Mr. Thrower stated that over the next several years, the Water Treatment Plant and Distribution Line Upgrade Project will continue to be a high priority for the City. He also stated that the water rates for properly servicing the debt associated with this project will be phased over a three fiscal years commencing in FY12. He further stated that water rates will need to be increased again in both FY13 and FY14. He stated that the sewer rates will also be increased to keep pace with increasing operating and capital expenses. He also stated that the new water and sewer rates for FY12 are as follows:

### FY12 Water Rate Structure

Minimum 2,000 gallons	\$13.74 – 7.5% increase
Next 48,000/1,000	\$4.89 – 11.5% increase
Over 50,000/1,000	\$3.87 – 7.5% increase

### FY12 Sewer Rate Structure

Minimum 2,000 gallons	\$17.91 – 2% increase
Next 48,000/1,000	\$5.28 – 4% increase
Over 50,000/1,000	\$5.12 – 2% increase

## Revenues

- Increase in water rates.
- Increase in sewer rates.
- Increase in projected penalties due to increase in late fee amount from \$10 to \$15.

## Expenditures

- 2% bonus for employees. The last general pay increase for City employees was three years ago on December 1, 2008.
- Additional 25% of the city Treasurer's salary to be allocated to Utility Fund expenses.
- Transfer of \$197,095 from Utility Fund to General Fund to cover the S. Main Street Enhancement Project local match requirement and to cover a percentage of personnel expenses associated with administration of the Utility Fund and functions.
- 1 frozen Water treatment Plant Operator position officially eliminated.
- Replacement of Water Treatment Plant Superintendent's 1996 F-150 Truck at \$25,000.
- Water tank maintenance contract expense of \$42,324.
- Replacement of sewer pump at \$49,000.
- Operating/capital reserve line item of \$81,625 which includes 1/3 of the required reserve amount of \$36,750 for the Water Treatment Plant and Distribution Line Upgrade Project.

Councilman Saunders stated that the funding for the Chamber of Commerce and Village View would be restored in the June 7, 2011 Budget Work Session.

James Saunders, President of Council, asked if anyone wished to speak concerning the matter.

With no further matters to be presented before City Council, President Saunders declared the public hearing closed.

---

James C. Saunders, President of Council

---

Tessie S. Wilkins, City Clerk

**MINUTES**  
**EMPORIA CITY COUNCIL**  
**CITY OF EMPORIA MUNICIPAL BUILDING**  
**June 7, 2011**

*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 7, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Jim Saunders, President of Council 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 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

Absent: Samuel W. Adams, III, Mayor

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, May 17, 2011, City Council Regular meeting, Public Hearing, and Tuesday, May 10, 2011 Budget Work Session minutes as presented, seconded by Councilwoman D. 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 L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Beverly White	aye

## AGENDA APPROVAL

Mr. Thrower reported the addition of Closed Session – Virginia Code § 2.2 3711 (A) (7) Legal matter requiring the advice of counsel.

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

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

## NEW BUSINESS

### ***11-48. Water Treatment Plant and Distribution Line Upgrade Project – Request to Approve Bond Resolution***

Mr. Thrower stated that the City of Emporia is moving forward on the water treatment plant and distribution line upgrade project. He also stated that one required step in the process entails holding a public hearing on the proposed issuance of general obligation and revenue water system bonds to finance this project. He further stated that the principal amount of these bonds shall not exceed \$10,837,000. He stated that these forty-year bonds shall bear interest at the rate of 2.375% or lower, depending on the current interest rate at the time of bond issuance.

He recommended that City Council approve the bond issuance and resolution.

Councilman Saunders made a motion to adopt **Resolution No. 11-05** Authorizing the Issuance and Sale of \$10,837,000 General Obligation and Revenue Water System Bonds, Series 2011 of the City of Emporia, Virginia and Providing for the Form, Details and Payment thereof, 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
Councilwoman Beverly White	aye

### ***11-49. Proposed FY12 General and Utility Fund Budgets***

Mr. Thrower stated that no formal action is required tonight for the Proposed FY12 General and Utility Fund Budgets.

### ***11-50. Line of Duty Act – Request to Approve Resolutions***

## **LODA Benefits Overview**

Mr. Thrower stated that the Line of Duty Act (LODA) provides eligible public safety personnel, both paid employees and volunteers, with certain benefits if they are killed or disabled in the line of duty, including:

### **Death Benefit**

- \$100,000 lump sum payment (25,000 if a presumptive claim or if death is within five years of retirement)

### **Health Insurance Benefit**

- Employee/volunteer (in case of disability) – for life
- Spouse (in case of death or disability) – for life or other insurance
- Children (in case of death or disability) – generally to age 21 (to 25 if a full-time college student or if disabled for three months after duration of disability)

## **Background of LODA – May 13, 2011 VML Newsletter**

Mr. Thrower stated that in 1972 the General Assembly passed the Line of Duty Act (LODA) program, which provided a death benefit for public safety officers killed in the line of duty. He also stated that the state bore the responsibilities for these payments. He further stated that since then the General Assembly has expanded the population of employees eligible for the benefit and has liberalized the benefits by providing a health insurance component.

Mr. Thrower stated that the increasing cost of the program, and the requirements to show the liability for these benefits on the state's balance sheets, prompted the General Assembly to renege on its promise to pay for the program. He also stated that in 2010, the legislature passed on to local governments the responsibility for funding the LODA benefits for local employees. He further stated that the local government must begin covering these costs as of July 1, 2011.

Mr. Thrower stated that the local governments can finance these benefits through contributions to a trust managed by the Virginia Retirement System (VRS), or finance them through programs outside of VRS, such as a new one offered by VML Insurance Programs... In response to strong demand from members, VML Insurance Programs recently announced a LODA Program effective July 1, 2011...Members will pay a premium, which will be invested."

## **Options**

Mr. Thrower stated that given the fact that the State has shifted these costs down to the local level, localities have three alternatives to fund their LODA obligations. He also stated that those alternatives include paying into the VRS fund, paying into a group self insurance program, or individually self insuring. He further stated that according to Steve Craig, managing director of VMLIP, "Reaction to our (VML Insurance Programs) proposal has been favorable. He stated that it appears most eligible VMLIP members will elect to opt out of the state fund".

Mr. Thrower reported that in comparing VRS and VML Insurance costs, the estimated annual net cost to the City will be \$207.55 lower by opting out of the State fund and having our

liabilities covered through VML Insurance. He also reported that the LODA costs for Emporia Volunteer Fire Department and Greenville Volunteer Rescue Squad members will be shared based on a percentage basis with Greenville County. He further stated that the Greenville County has already approved the sharing of these costs and has agreed to fund these liabilities through VML Insurance Programs. He advised that under this arrangement, the City will be responsible for paying the total annual premium through VML Insurance Programs. He also advised that the City will, in turn, bill Greenville County for its share of volunteer member costs, as is the current practice for other expenses.

He recommended that Council approve the required resolutions which opts the City of Emporia out of the VRS Line of Duty Act Fund effective July 1, 2011, recognizing the Emporia Volunteer Fire Department and Greenville Volunteer Rescue Squad as integral parts of the City of Emporia's official safety program, and outline the sharing of the Line of Duty Act costs between the City of Emporia and Greenville County through the Virginia Municipal League Insurance Programs.

Councilman Harris made a motion to adopt **Resolution No. 11-03 and 11-04** which opts the City of Emporia out of the VRS Line of Duty Act Fund effective July 1, 2011, recognizing the Emporia Volunteer Fire Department and Greenville Volunteer Rescue Squad as integral parts of the City of Emporia's official safety program, and outline the sharing of the Line of Duty Act costs between the City of Emporia and Greenville County through the Virginia Municipal League Insurance Programs, 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
Councilwoman Beverly White	aye

#### ***11-51. Justice Assistance Grant (JAG) – Appropriation Ordinance***

Mr. Thrower stated that the City of Emporia made application and was awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice. He also stated that this \$9,999.00 grant will be used together with \$1,111.00 in matching funds from our present budget to purchase and install emergency equipment in new patrol cars.

Mr. Thrower stated that those funds were not included in the FY11 operating budget. He also stated that utilizing this award requires adoption of the ordinance to appropriate funds of \$9,999.00 into the City's FY11 operating budget. He further stated that the Department of Justice will reimburse the City's General Revenue Account for \$9,999.00

Councilman Saunders made a motion to adopt **Ordinance No. 11-10** to appropriate the Sum of \$9,999.00 in DOJ Justice Assistance Grant (JAG) 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 L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Beverly White	aye

***11-52. Council Vision and Priorities – Request to Adopt***

Mr. Thrower stated that at the Council’s annual retreat held the weekend of March 25 and 26, 2011, Council developed a collective vision and list of priorities looking out until the year 2025. He also stated that the vision themes Council developed include:

- Community Development: Pride in Our City
- Economic Development: Opportunities for Growth
- Emporia: We’re Positive About Education
- Physical and Infrastructure Capacity: Readiness for the Future
- Service Excellence Through Efficient, Effective, Well Trained, and Friendly Staff
- Healthy Community Through Physical and Mental Health

Mr. Thrower stated that he will be working with department heads and other key staff to create a strategic plan outlining the steps necessary to implement Council vision and priorities. He stated that this plan will be brought back to Council for review. He further stated that he is first requesting that Council officially adopt the vision and priorities that Council created at the Council retreat.

He recommended that Council adopt the vision and priorities.

Councilwoman Carey made a motion to adopt the Council vision and priorities, seconded by Councilwoman B. White, 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
Councilwoman Beverly White	aye

***11-53. Regional Economic Development Marketing Organization – Request to Sign Letter of Commitment***

Mr. Thrower stated that over the last couple of years, the City of Emporia and Greensville County have been studying its current economic development programs. He also stated that in particular, the report prepared by Jerry Gwaltney & Associates and Springsted, Inc. last year recommended that the two localities join a larger regional economic development organization to expand the City marketing footprint in the global economy. He further stated that this concept was also heavily endorsed by both the Virginia Economic Development Partnership (VEDP) and Tobacco Commission.

Mr. Thrower advised that over the past several months, multiple localities in our area have been meeting to discuss the logistics around forming a new regional economic development

marketing organization. He also advised that the specific localities that have primarily expressed interest included the City of Emporia, Greensville County, Brunswick County, Charlotte County, Mecklenburg County, Lunenburg County, and Nottoway County.

Mr. Thrower stated that in order to commence a more formal action plan to create this new organization, VEDP requested that each locality sign a letter pledging its commitment to financially contributing to the formation and continuation of the new regional group. He also stated that at this point in time, the preliminary discussions have centered on requiring each locality to pay on a per capita basis. He further stated that funding has been included in the FY12 budget to cover this initial expense. He stated that the letter also asks for financial support from the State to aid the localities in this effort.

He recommended that Council authorize him to sign the commitment letter to be sent to the Virginia Economic Development Partnership.

Councilwoman Temple made a motion to authorize the City Manager to sign the commitment letter to be sent to the Virginia Economic Development Partnership, 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 L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Beverly White	aye

***11-54. Right-of-Way Vacation Request – Delaware Street***

Mr. Hall stated that the City of Emporia is requesting to vacate a right-of-way within the City limits. He also stated that the subject right-of-way is the portion of Delaware Street that is a “paper street.” He further stated that this segment is located south of Pine Street between Florida and Maryland Avenues.

Mr. Hall advised that labor and any cost incurred will be used as an “in-kind” match towards the City’s West Atlantic Street Neighborhood Revitalization Project. He also advised that after vacating the right-of-way, shading will be completed by the Public Works Department.

Mr. Hall stated that prior to approval, the City is required to publish a public hearing notice in the local newspaper and send an informational letter to adjacent property owners. He also stated that the City Council may appoint viewers to review the request and report back with their findings.

He recommended that Council authorize the Assistant City Manager to advertise a public hearing notice in the local newspaper and send letters to adjacent property owners as required by the Code of Virginia. He also recommended that Council appoint viewers to review the request.

Councilman Harris made a motion to authorize the Assistant City Manager to advertise a public hearing notice in the local newspaper and send letters to adjacent property owners as required by the Code of Virginia, and Council appointed Arthur Kreinbaum, Alex Bailey, and

Dennis Allen to view the Delaware Street request, 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 L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Beverly White	aye

## **PUBLIC COMMENT**

Councilman Saunders 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, Councilman Saunders closed the public comment portion of the meeting.

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

Councilman Harris moved that Closed Session be entered for the purpose of discussing Virginia Code Sections **2.2-3711 (A) (1) Personnel matter pertaining to the City Clerk's annual performance review, and (A) (7) Legal matter requiring the advice of counsel.** 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
Councilwoman Beverly White	aye

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

Councilwoman D. White moved that the meeting be returned to Regular Session. Councilwoman B. 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 Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Beverly White	aye

---

## **CERTIFICATION**

Councilwoman Temple 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 B. 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
Councilwoman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye
Councilwoman Beverly White	aye

-----

## **ADJOURNMENT**

With no further business to come before City Council, President Saunders adjourned the meeting.

---

James C. Saunders, President of  
Council

---

Tessie S. Wilkins, City Clerk