



CITY OF EMPORIA

PUBLIC HEARING

- 1. Conditional Use Permit Request – 773 North Main Street – “ Smoove Operators”**
- 2. Belfield Business District Revitalization Project – CDBG Application**
- 3. City Council Meeting Time Change – Request to Adopt Ordinance Amendment**

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, March 19, 2013 - 7:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

March 5, 2013 ~ Regular Minutes

APPROVAL OF BILLS

REPORTS

Financial and Tax Reports
Commissioner of the Revenue Report
Permit and Inspection Report
Police Report
Sheriff Report
Fire Report
City Attorney Report

APPROVAL OF AGENDA

NEW BUSINESS

- 13-11. Conditional Use Permit Request - 773 North Main Street - “Smoove Operators”
- 13-12. Belfield Business District Revitalization Project - CDBG Application
- 13-13. City Council Meeting Time Change - Request to Adopt Ordinance Amendment
- 13-14. I-95 Tolls Opposition - Request to Authorize Payment of Legal Expense
- 13-15. Emporia Redevelopment & Housing Authority - Term Expiration (David Thomas)



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AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, March 19, 2013 - 7:30 P.M.

13-16. Recreation Advisory Commission - Term Expirations

13-17. FY12 Audit Presentation

PUBLIC COMMENT

CLOSED SESSION

Closed Meeting pursuant to Virginia Code § 2.2 3711 (A) (1) a personnel matter involving the salary or other compensation of a specific employee.

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
March 5, 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, March 5, 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 Rev. Nathaniel Dupree 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
Tom Delbridge, Water Treatment Plant Supt.
Linwood Pope, Public Utilities Director

Mayor Person welcomed Morris White and the 4-H members to the Council meeting.

Mayor Person reported that tonight's meeting would be Steve Hall, Assistant City Manager, last meeting and wished him well on his new journey.

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, February 19, 2013, 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

AGENDA APPROVAL

Mayor Person reported the additions of **Closed Session – Virginia Code § 2.2 3711 A) (1) a personnel matter involving the salary or other compensation of a specific employee.**

Councilwoman Temple moved to approve the amended agenda 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

UNFINISHED BUSINESS

13-09. Boards and Commission – Various Term Expirations

Mr. Thrower stated that 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. He also stated that Mr. Jessee stated that he does wish to be considered for reappointment and Mr. Little stated that he does not wish to be considered for reappointment. He further stated that 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 term on the City Board of Zoning Appeals.

Councilman Harris moved to nominate Vincent Lankford for consideration to serve a five year term on the City Board of Zoning Appeals.

Councilwoman Temple moved to nominate Danny Allen for consideration to serve a five year term on the City Board of Zoning Appeals.

Councilwoman White moved to nominate Danny Moore and Ella Seaborne for consideration to serve a five year term on the City Board of Zoning Appeals.

Councilman Harris moved to nominate Doug Jessee, Jr., Vincent Lankford, Danny Allen, Danny Moore and Ella Seaborne name for submission to the Greenville County Circuit Court for consideration and official approval to serve a five year term on the Board of Zoning Appeals, 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

NEW BUSINESS

13-10. City Council Meeting Time Change – Request by Council Member Ewing

Councilman Ewing requested that the City Council meeting time be changed from 7:30 p.m. to 6:30 p.m.

Councilman Ewing made a motion to authorize conducting a public hearing at Council March 19, 2013 meeting, 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

PUBLIC COMMENT

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

Morris White, Unit Coordinator Extension Agent, addressed Council by stating that March is National Women's History month and presented Ms. Gladys Robinson with a certificate and a fifty year pin commemoration of her long history of volunteer works for 4-H. He also recognized Mayor Person as being the first woman elected to the office of Mayor of the City of Emporia.

Jessie O'Neary, 1912 Sunnyside Road, addressed Council with concerns about the smell of the wastewater that is being dumped in this area from Brunswick County.

Marva Dunn, 103 Beech Tree Lane, addressed Council stating that she has worked with Steve Hall, City Assistant Manager, since he has started here. She also stated that he has been very instrumental in helping with the Redevelopment and Housing Authority. She further stated congratulated him on his new venture and wished him good luck.

Steven Hall, 2601 O Street, addressed Council thanking them for providing him with the opportunity of almost five years to be a public servant for the City of Emporia. He also stated that he has gained a ton of experiences in almost every realm of local government that he can imagine. He further stated that he will always look back on Emporia with a fondness and extreme gratitude for the opportunities that was afforded to him. He stated that for the new Council members we haven't had a chance to do much work, but he assured them that there are a ton of positive things going on in the City of Emporia.

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

*****CLOSED SESSION*****

Councilwoman Temple 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 and (A) (29) Concerning contracts for water supply where Public discussion of the terms or scope of the contracts would affect our bargaining position or negotiating strategy, 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

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

Review of Bills

March 19, 2013

GENERAL FUND

LEGISLATIVE

Carol Mercer	60.00
Clements Mayes Photography	439.95
Dale Temple	245.35
Doris T. White	225.00
Emporia Junior Woman's Club	30.00
F. Woodrow Harris	189.51
Independent Messenger	175.96
Telpage, Inc.	79.90
Treasurer of Virginia - VITA	2.87
Verizon	14.05
Xerox Corporation	113.74

EXECUTIVE

Daily Herald	499.00
Elvin Hicks - Richmond Times	14.00
Independent Messenger	289.81
Monte's Flower and Gift Shop	34.00
Pembroke Occupational Health	133.00
Pitney Bowes	1,551.99
Sussex-Surry Dispatch	99.00
Telpage, Inc.	394.94
The Progress-Index	199.00
The Tidewater News	277.50
Treasurer of Virginia - VITA	5.78
Verizon	248.45
Verizon Wireless	23.97
Xerox Corporation	113.74

LAW

Barrett Law Office, PC	583.33
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REGISTRAR

Treasurer of Virginia - VITA	0.51
Verizon	14.05

SHERIFF

Greene's Service Center	16.00
Sadler Brothers Oil Company, Inc.	531.96
Treasurer of Virginia - VITA	2.39
Verizon	92.95
Verizon Wireless	90.87

EMERGENCY SERVICES

Sadler Brothers Oil Company, Inc.	39.22
Treasurer of Virginia - VITA	2.59
Verizon	28.10
Verizon Wireless	49.69

VICTIM WITNESS

VJCCCA/FAMILY VIOLENCE PREVENTION

Behavioral Interventions, Inc.	107.73
F. Woodrow Harris	34.45
Sadler Brothers oil Company, Inc.	35.46
Telpage, Inc.	49.95
Treasurer of Virginia - VITA	8.78
Verizon	88.01
Verizon Wireless	117.25

SHARED SERVICES

County of Greenville	417,387.50
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FINANCE

Blue Cross/Blue Shield of Virginia	39,010.96
Treasurer of Virginia - VITA	4.20
Treasurer of Virginia - VRS	80,528.41
Verizon	41.90
Xerox Corporation	113.73

TREASURER

Independent Messenger	93.15
Treasurer of Virginia - VITA	206.13
Verizon	129.59

COMMISSIONER OF REVENUE/ASSESSOR

Quill Corporation	943.82
Treasurer of Virginia - VITA	212.18
Verizon	60.07
Willis Property Assessment	3,578.33
WindoWare, Inc.	2,200.00

DEBT SERVICE

BB&T Governmental Finance	5,845.96
First Citizens Bank	1,722.00
SunTrust Bank	14,311.97
The Bank of Southside Virginia	1,129.24
USDA Rural Development	5,000.00

NON-DEPARTMENTAL

CAS Severn	6,525.00
Emporia-Greens. Local Law Library	130.00
Meherrin Regional Library	7,711.25

Review of Bills March 19, 2013

COURTS

Crater Youth Care Commission	13,942.00
Law Ofc. Of W. Wm. Robinson, III	237.00
Law Ofcs. Of Barbara G. Mason, Inc.	120.90
Newsome Law Office	120.00
Southside Regional Jail	108,832.00
Treasurer of Virginia - VITA	3.34
Verizon	83.57

FIRE

Amerigas Propane	754.58
Dominion Virginia Power	677.38
Mecklenburg Electric Cooperative	36.27
Parker Oil Company, Inc.	315.64
Sadler Brothers Oil Company, Inc.	182.85
Telpage, Inc.	39.95
Treasurer of Virginia - VITA	6.52
Verizon	112.40
Verizon Wireless	181.74

PARKS & RECREATION

Cintas Corporation	29.35
Sadler Brothers Oil Company, Inc.	200.53

ECONOMIC DEVELOPMENT

Amsterdam Printing	393.57
Clements Mayes Photography	60.00
Sadler Brothers Oil Company, Inc.	128.45
Treasurer of Virginia - VITA	3.23
Verizon	14.05
Verizon Wireless	49.69

ANIMAL CONTROL

Animal Hospital of Emporia	18.00
Sadler Brothers Oil Company, Inc.	170.00
Verizon Wireless	30.29

FACILITIES

Amerigas Propane	852.99
Cintas Corporation	285.00
Dominion Virginia Power	3,117.48
Gaston Security, Inc.	75.00
Houchins Pest Control	138.75
Klugel & Son, Inc.	298.00
Lorenzo Cain	320.00
Mecklenburg Electric Cooperative	1,244.12
Morris Refrigeration Company, Inc.	2,363.32
R & C Electric Service, Inc.	617.20
Wrenn Builders LLC	95.00

PLANNING AND ZONING

Community Planning Partners, Inc.	5,171.09
Condor Construction & Development	2,293.75
Cynthia Batts	241.80
Eastern Virginia Environmental	3,000.00
Hillbilly LLC - The UPS Store	11.57
John Walston	606.10
Kyle Green	194.52
Quill Corporation	38.69
S. L. Hill Construction, Inc.	1,750.00
Sadler Brothers Oil Company, Inc.	234.87
Stantec Consulting Services, Inc.	1,241.36
Steven B. Hall	123.17
The Walston Group	347.58
Treasurer of Virginia - VITA	3.17
Verizon	45.77
Verizon Wireless	131.61
Virginia Plumbing & Mechanical	125.00
Worldview Solutions, Inc.	2,000.00
Xerox Corporation	113.73

POLICE

Applied Concepts, Inc.	1,749.00
Da Pro Systems, Inc.	9,284.00
Department of Motor Vehicles	10.00
Dustan Jarratt	376.60
Frank Mainwaring	136.60
Ogburn Signs & Printing	1,020.00
Sadler Brothers Oil Company, Inc.	9,096.73
Telpage, Inc.	59.95
Travis W. Allen	334.91
Treasurer of Virginia - Dept. of Health	20.00
Treasurer of Virginia - VITA	987.48
Treasurer of Virginia, Notary Division	45.00
United Parcel Service	3.53
Verizon	1,107.05
Verizon Wireless	603.46
Virginia Police Chiefs Foundation	1,800.00

Review of Bills March 19, 2013

PUBLIC WORKS

Brunswick Landfill	8,940.72
Cintas Corporation	981.94
Dominion Virginia Power	6,827.76
Fuel Freedom Card	5,476.30
Greensville County Landfill	4,969.02
Independent Messenger	310.50
Jeff B. Robinson & Associates LLPC	6,769.00
Mecklenburg Electric Cooperative	1,501.10
Ogburn Signs & Printing	187.50
Parker Oil Company, Inc.	47.24
Redwine International, Inc.	300.00
Rightmyer Machine Rentals	939.40
Sadler Brothers Oil Company, Inc.	2,306.42
Southside Regional Jail	575.00
Telpage, Inc.	94.95
Treasurer of Virginia - VDOT	395.68
Treasurer of Virginia - VITA	4.69
Verizon	249.43
Verizon Wireless	248.65
Virginia Mosquito Control	15.00

TOTAL GENERAL FUND **\$815,837.74**

UTILITY FUND

Blue Cross/Blue Shield of Virginia	8,870.80
Brenntag Mid-South, Inc.	345.95
Cintas Corporation	540.95
Cobb Technologies	78.00
Dewberry Engineers, Inc.	9,881.70
Dominion Virginia Power	4,750.22
Fidelity Engineering Corporation	258.50
Fortiline Waterworks	3,180.24
Fuel Freedom Card	436.21
H & M Sales and Service, Inc.	220.00
Hampton Roads Sanitation District	376.70
Itron, Inc.	1,902.23
Mecklenburg Electric Cooperative	7,924.04
Parker Oil Company, Inc.	1,518.50
Postmaster	712.30
Ross Valve Manufacturing Co.	1,100.34
Russ Gordon's Garage	16.00
Sadler Brothers Oil Company, Inc.	1,633.58
Step Saver Products	247.05
Sydnor Hydro, Inc.	48,000.00
Telpage, Inc.	79.90
Total Products Company	244.00
Treasurer of Virginia - DPOR	100.00
Treasurer of Virginia - VITA	7.22
Treasurer of Virginia - VRS	18,758.09
Univar USA, Inc.	630.00
Verizon	765.30
Verizon Wireless	181.74
VUPS	21.61

TOTAL UTILITY FUND **\$112,781.17**

**CITY OF EMPORIA
CITY COUNCIL MEETING
March 19, 2013
AGENDA MEMORANDUM**

**SUBJECT: FINANCIAL STATEMENT
COLLECTIONS 2010-2012
COLLECTIONS 2007-2009
DELINQUENT TAX SUMMARY-ALL YEARS
2012 PPTRA ALLOTMENT-COMPARISON
SALES & USE TAX COMPARISON
MONTHLY UTILITY DEPT. COMPARISON
CUT OFFS FOR UTILITY CUSTOMERS
UNCOLLECTED UTILITY BILLS
BOOT COLLECTIONS**

W. S. HARRIS, JR., TREASURER

Financial Statement

February 28, 2013

CHECKING / DAILY INVESTMENT

General Fund

Utility Fund

1,046,395.71

744,343.85

CERTIFICATES OF DEPOSIT / INVESTMENTS

FIRST COMMUNITY BANK	\$384,339.50	MMF @ .07%	NA	GF
FIRST COMMUNITY BANK	\$1,506,779.97	12 Mos @ .38%	1/6/2014	GF
CARTER BANK & TRUST	\$1,006,260.19	6 Mos @ .50%	1/10/2014	GF
CARTER BANK & TRUST	\$1,006,260.19	6 Mos @ .50%	1/10/2014	GF
CARTER BANK & TRUST	\$772,295.72	12 Mos @ .50%	2/4/2014	GF
CARTER BANK & TRUST	\$503,764.99	12 Mos @ .50%	2/4/2014	GF
CARTER BANK & TRUST	\$503,764.99	12 Mos @ .50%	2/4/2014	GF
FIRST COMMUNITY BANK	\$504,376.67	MMF @ .07%	NA	UT
FIRST COMMUNITY BANK	\$502,259.99	12 Mos @ .38%	1/6/2014	UT
CARTER BANK & TRUST	\$502,879.97	6 Mos @ .45%	1/10/2014	UT

Feb-13

RECAP OF 2010 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)			(B)	(Cols. A+B-C)	
Real Estate	2,976,993.81	0.00	3,324.20	2,973,669.61	2,955,839.40	17,830.21
Personal Property	1,141,435.34	99,940.97	55,984.84	1,185,391.47	1,166,935.42	18,456.05
Decals	107,658.50	9,563.00	5,294.15	111,927.35	108,081.57	3,845.78
Personal Property Relief	578,916.57	34,959.61	27,737.21	586,138.97	577,178.83	8,960.14
Public Service	165,731.98	0.00	8,167.59	157,564.39	157,564.39	0.00
TOTAL	4,970,736.20	144,463.58	100,507.99	5,014,691.79	4,965,599.61	49,092.18
2010 Real Estate Tax Collections		99.40%	2010 Personal Property Tax Relief		98.47%	
2010 Personal Property Tax Collections		98.44%	2010 Public Service Tax Collection		100.00%	

RECAP OF 2011 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)			(B)	(Cols. A+B-C)	
Real Estate	2,984,406.93	0.00	3,000.24	2,981,406.69	2,956,507.59	24,899.10
Personal Property	1,244,373.63	26,690.75	32,718.87	1,238,345.51	1,228,636.88	9,708.63
Decals	111,029.00	8,475.00	5,753.43	113,750.57	107,551.10	6,199.47
Personal Property Relief	557,964.29	30,384.27	28,974.10	559,374.46	547,389.74	11,984.72
Public Service	156,479.42	0.00	0.00	156,479.42	156,479.42	0.00
TOTAL	5,054,253.27	65,550.02	70,446.64	5,049,356.65	4,996,564.73	52,791.92
2011 Real Estate Tax Collections		99.16%	2011 Personal Property Tax Relief		97.86%	
2011 Personal Property Tax Collection		99.21%	2011 Public Service Tax Collection		100.00%	

RECAP OF 2012 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)			(B)	(Cols. A+B-C)	
Real Estate	3,019,463.59	0.00	1,029.15	3,018,434.44	2,905,020.13	113,414.31
Personal Property	1,224,318.90	68,794.39	31,181.07	1,261,932.22	1,227,004.48	34,927.74
Decals	104,243.00	9,600.50	3,912.50	109,931.00	92,419.73	17,511.27
Personal Property Relief	560,183.75	63,406.00	41,141.99	582,447.76	531,185.04	51,262.72
Public Service	173,064.34	0.00	0.00	173,064.34	173,064.34	0.00
TOTAL	5,081,273.58	141,800.89	77,264.71	5,145,809.76	4,928,693.72	217,116.04
2012 Real Estate Tax Collections		96.24%	2012 Personal Property Tax Relief		91.20%	
2012 Personal Property Tax Collections		97.23%	2012 Public Service Tax Collection		100.00%	
2012 License Fee Collections		84.07%				

Feb-13

RECAP OF 2007 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,673,531.26	29,166.22	14,468.19	2,688,229.29	2,683,797.66	4,431.63
Personal Property	1,270,481.69	232,305.66	109,391.44	1,393,395.94	1,389,263.18	4,132.73
Decals	444,139.00	30,539.61	8,576.33	466,102.28	463,228.60	2,873.68
Personal Property Relief	549,911.50	5,471.39	137,247.89	418,135.00	411,934.36	6,200.64
Public Service	140,577.17	4,462.35	0.00	145,039.52	145,039.52	0.00
TOTAL	5,078,640.62	301,945.23	269,683.85	5,110,902.00	5,093,263.32	17,638.68
2007 Real Estate Tax Collections		99.83%	2007 Personal Property Tax Relief		99.38%	
2007 Personal Property Tax Collections		99.70%	2007 Public Service Tax Collection		100.00%	

RECAP OF 2008 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,703,731.80	15,916.97	11,236.65	2,708,412.12	2,701,708.91	6,703.21
Personal Property	1,288,745.41	42,594.01	82,647.30	1,248,692.12	1,242,022.81	6,669.31
Decals	110,269.50	9,823.17	6,545.00	113,547.67	109,061.70	4,485.97
Personal Property Relief	548,290.97	39,726.80	28,914.65	559,103.12	548,733.02	10,370.10
Public Service	149,011.30	5,341.13	5,341.13	149,011.30	149,011.30	0.00
TOTAL	4,800,048.98	113,402.08	134,684.73	4,778,766.33	4,750,537.74	28,228.59
2008 Real Estate Tax Collections		99.75%	2008 Personal Property Tax Relief		98.15%	
2008 Personal Property Tax Collection		99.47%	2008 Public Service Tax Collection		100.00%	

RECAP OF 2009 TAXES

<i>TYPE OF TAX</i>	<i>BAL. FWD.</i> (A)	<i>SUPPLEMENTS</i> (B)	<i>ABATEMENTS</i> (C)	<i>ADJUSTED LEVY</i> (Cols. A+B-C) (D)	<i>COLLECTIONS</i> TO DATE (E)	<i>BALANCE DUE</i> (F)
Real Estate	2,942,633.61	3,808.18	6,400.94	2,940,040.85	2,928,690.08	11,350.77
Personal Property	1,214,926.66	219,196.50	219,483.52	1,214,639.64	1,209,439.08	5,200.56
Decals	110,991.50	6,951.00	7,526.50	110,416.00	105,737.97	4,678.03
Personal Property Relief	524,152.89	38,891.54	17,349.89	545,694.54	537,000.06	8,694.48
Public Service	121,797.85	0.00	0.00	121,797.85	121,797.85	0.00
TOTAL	4,914,502.51	268,847.22	250,760.85	4,932,588.88	4,902,665.04	29,923.84
2009 Real Estate Tax Collections		99.61%	2009 Personal Property Tax Relief		98.41%	
2009 Personal Property Tax Collection		99.72%	2009 Public Service Tax Collection		100.00%	

REAL ESTATE TAXES

<i>Tax Year</i>	<i>Balance July 1</i>	<i>Supplements Added</i>	<i>Abatements</i>	<i>Bankruptcy Charge-Offs</i>	<i>Credit Card Collections</i>	<i>Collected to This Month</i>	<i>Collected This Month</i>	<i>Balance</i>
2006	\$4,778.82	\$0.00	\$0.00	\$0.00	\$0.00	\$839.96	\$0.00	\$3,938.86
2005	\$2,874.35	\$0.00	\$0.00	\$0.00	\$0.00	\$80.36	\$24.07	\$2,793.99
2004	\$1,552.93	\$0.00	\$0.00	\$0.00	\$0.00	\$72.21	\$0.00	\$1,480.72
2003	\$1,301.16	\$0.00	\$0.00	\$0.00	\$0.00	\$75.60	\$0.00	\$1,225.56
2002	\$815.64	\$0.00	\$0.00	\$0.00	\$0.00	\$23.52	\$0.00	\$792.12
2001	\$668.89	\$0.00	\$0.00	\$0.00	\$0.00	\$23.52	\$0.00	\$645.37
2000	\$378.84	\$0.00	\$0.00	\$0.00	\$0.00	\$23.52	\$0.00	\$355.32
1991-1999	\$2,183.52	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$339.36	\$1,844.16
TOTAL	\$14,554.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,138.69	\$339.36	\$13,076.10

PERSONAL PROPERTY TAX

<i>Tax Year</i>	<i>Balance July 1</i>	<i>Supplements Tx Relief</i>	<i>Abatements</i>	<i>Bankruptcy Charge-Offs</i>	<i>Credit Card Collections</i>	<i>Collected To This Month</i>	<i>Collected This Month</i>	<i>Balance</i>
2006 Net Tax	\$4,268.98	\$0.00	\$0.00	\$0.00	\$0.00	\$18.68	\$0.00	\$4,250.30
2005 Net Tax	\$5,828.49	\$0.00	\$0.00	\$0.00	\$0.00	\$23.68	\$0.00	\$5,804.81
2004 Net Tax	\$2,144.97	\$0.00	\$0.00	\$0.00	\$0.00	\$93.21	\$0.00	\$2,051.76
2002-2003	\$6,116.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$152.18	\$5,964.81
TOTAL	\$18,359.43	\$0.00	\$0.00	\$0.00	\$0.00	\$135.57	\$152.18	\$18,071.68

Grand Total of All Delinquent	\$32,913.58	\$0.00	\$0.00	\$0.00	\$0.00	\$1,274.26	\$491.54	\$31,147.78
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Local Sales & Use Tax Collection Comparison

Local Sales & Use Tax

Month	2010 Calendar Year	2011 Calendar Year	2012 Calendar Year	2013 Calendar Year
	Collected	Collected	Collected	Collected
January	\$123,188.30	\$110,239.00	\$127,062.93	\$108,278.56
February	\$124,584.85	\$125,876.99	\$126,296.95	\$127,189.75
March	\$98,553.01	\$104,593.90	\$102,337.33	
April	\$101,965.72	\$119,737.24	\$137,369.57	
May	\$116,312.04	\$123,865.11	\$135,414.13	
June	\$113,585.83	\$131,026.53	\$110,435.22	
July	\$117,703.51	\$180,490.56	\$116,536.54	
August	\$126,634.72	\$53,547.37	\$117,795.21	
September	\$124,733.84	\$119,307.80	\$125,411.89	
October	\$121,693.93	\$123,419.00	\$111,125.40	
November	\$121,716.50	\$119,256.67	\$106,691.83	
December	\$101,874.52	\$117,432.90	\$102,684.77	
Yearly Total	\$1,392,546.77	\$1,428,793.07	\$1,419,161.77	\$235,468.31

State Sales & Use Tax Collection Comparison

State Sales & Use Tax

Month	2010 Calendar Year	2011 Calendar Year	2012 Calendar Year	2013 Calendar Year
	Collected	Collected	Collected	Collected
January	\$81,853.28	\$76,745.66	\$81,464.16	\$80,957.08
February	\$84,478.90	\$92,440.02	\$91,897.24	\$95,365.10
March	\$65,632.54	\$63,957.82	\$72,512.86	
April	\$57,976.52	\$69,216.00	\$70,609.86	
May	\$77,024.82	\$78,000.40	\$85,665.32	
June	\$80,105.98	\$85,721.72	\$85,637.98	
July	\$68,470.08	\$72,832.12	\$78,791.66	
August	\$86,929.30	\$84,321.66	\$89,692.72	
September	\$73,798.74	\$74,027.06	\$80,905.18	
October	\$70,426.24	\$78,763.86	\$83,390.34	
November	\$77,002.46	\$77,775.18	\$82,935.18	
December	\$76,745.66	\$77,868.98	\$77,980.08	
Yearly Total	\$900,444.52	\$931,670.48	\$981,482.58	\$176,322.18

Monthly Comparison of
Collected Utility Fund Revenue & Completed Service Orders

FY12-13

	July	August	September	October	November	December
Water	90,099.63	101,686.13	113,727.66	103,298.73	96,655.33	79,586.73
Sewer	98,186.35	105,530.11	114,139.91	106,162.32	100,614.53	81,855.54
Meter Charge	4,442.98	4,539.38	4,562.68	4,431.23	4,598.89	4,211.38
Water Taps	0.00	3,000.00	0.00	0.00	3,000.00	0.00
Sewer Taps	0.00	4,000.00	0.00	0.00	4,000.00	0.00
Sale of Materials	0.00	57.00	42.25	0.00	30.00	23.50
Penalties	5,178.78	5,241.93	5,660.54	4,340.84	4,853.99	6,265.23
Cut on/off Fees	4,320.00	2,610.00	4,350.00	3,420.00	6,990.00	2,220.00
Water Sales-Bulk Water	367.23	646.70	11.79	0.00	0.00	23.23
Sewer Services	535.01	15,603.87	0.00	0.00	40,627.13	13,336.43
Miscellaneous	0.00	1,000.00	50.00	0.00	0.00	0.00

Total Revenue For the Month	203,129.98	243,915.12	242,544.83	221,653.12	261,369.87	187,522.04
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	January	February	March	April	May	June	YTD Category Ttl
Water	100,683.82	87,708.40					773,446.43
Sewer	106,319.93	94,311.38					807,120.07
Meter Charge	4,585.45	4,150.24					35,522.23
Water Taps	0.00	0.00					6,000.00
Sewer Taps	0.00	0.00					8,000.00
Sale of Materials	0.00	0.00					152.75
Penalties	3,945.14	4,328.79					39,815.24
Cut on/off Fees	5,056.17	2,611.00					31,577.17
Water Sales-Bulk Water	0.00	0.00					1,048.95
Sewer Services	136.63	149.81					70,388.88
Miscellaneous	0.00	0.00					1,050.00

Total Revenue for the Month	220,727.14	193,259.62	0.00	0.00	0.00	0.00
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	July	August	September	October	November	December
Service Orders						
Ttl Off/On Requests	59	60	54	47	39	42
Ttl Leak Inquiries	15	17	23	31	41	53

Ttl Service Orders For the Month	74	77	77	78	80	95
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	January	February	March	April	May	June	YTD Order Totals
Service Orders							
Ttl Off/On Requests	62	54					417
Ttl Leak Inquiries	54	47					281

Ttl Service Orders For the Month	116	101	0	0	0	0
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YTD Revenue Total All Depts. **1,774,121.72** YTD Service Order **698**

**REPORT OF CUT OFFS TO UTILITY ACCOUNTS SINCE
EXTENSION OF PAYMENTS TO NEXT MONTH**

JULY 06 STARTED CHANGE-DID NOT CUT WATER OFF THIS MONTH

AUGUST 24
SEPTEMBER 55
OCTOBER 45
NOVEMBER 27
DECEMBER 77

2007

2008

2009

2010

JANUARY 58	JANUARY 45	JANUARY 62	JANUARY 103
FEBRUARY 32	FEBRUARY 63	FEBRUARY 56	FEBRUARY 44
MARCH 35	MARCH 71	MARCH 74	MARCH 46
APRIL 49	APRIL 44	APRIL 28	APRIL 63
MAY 63	MAY 71	May 56	MAY 86
JUNE 66	JUNE 82	June 86	JUNE 58
JULY 76	JULY 67	JULY 53	JULY 74
AUGUST 67	AUGUST 86	AUGUST 90	AUGUST 78
SEPTEMBER 75	SEPTEMBER 94	SEPT 49	SEPTEMBER 66
OCTOBER 93	OCTOBER 43	OCTOBER 72	OCTOBER 86
NOVEMBER 51	NOVEMBER 39	NOVEMBER 46	NOVEMBER 54
DECEMBER 71	DECEMBER 71	DECEMBER 130	DECEMBER 44

2011

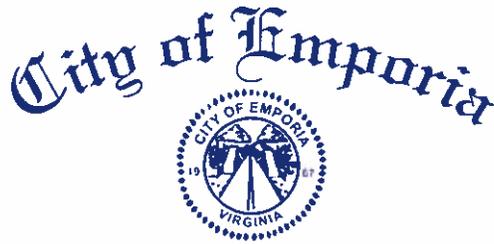
2012

2013

JANUARY 86	JANUARY 68	JANUARY 80
FEBRUARY 30	FEBRUARY 45	FEBRUARY 68
MARCH 31	MARCH 48	
APRIL 48	APRIL 70	
MAY 83	MAY 43	
JUNE 281	JUNE 79	
JULY 130	JULY 80	
AUGUST 85	AUGUST 75	
SEPTEMBER 83	SEPTEMBER 63	
OCTOBER 66	OCTOBER 68	
NOVEMBER 86	NOVEMBER 90	
DECEMBER 61	DECEMBER 53	

UNCOLLECTED UTILITY BILLS

BEGINNING BALANCE JULY 2006	54043.62	54043.62
BALANCE ADDED AFTER 2 MONTHS EXT	31012.65	85056.27
BALANCES ADDED FOR 2009	10028.85	95085.12
COLLECTIONS 2009	-4577.96	90507.16
BALANCES ADDED FOR 2010	56074.78	146601.94
COLLECTIONS 2010	-21349.82	125252.12
BALANCES ADDED FOR 2011	43729.33	168981.45
COLLECTIONS 2011	-30063.76	138917.69
BALANCES ADDED 2012	30144.85	169062.54
COLLECTIONS 2012	-26675.91	142386.43
BALANCES ADDED JAN 2013	2325.78	144712.21
COLLECTIONS JAN 2013	-2947.67	141764.54
BALANCES ADDED FEB 2013	2376.46	144141.00
COLLECTIONS FEB 2013	-854.25	143286.75



Commissioner of the Revenue
P. O. Box 956
Emporia, Virginia 23847
TELEPHONE (434) 634-5405

March 13, 2013

JOYCE E. PRINCE
COMMISSIONER

LISA D. COUNCIL
DEPUTY COMMISSIONER

The Honorable Mayor
City Council Members
City Manager

Dear Members of Council:

During the month of February a total of \$1,130,283.31 was processed for City Business License.

Transient tax totaled \$73,962.79 for the month of January and processed during February.

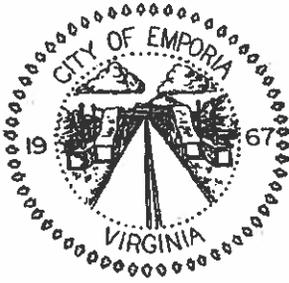
Meal tax processed during the month of February totaled \$113,476.03 with an additional \$5,155.73 for prior years.

The usual comparison of meal and transient tax processed during February to the same time period last year is as follows:

	<u>January 2012</u>	<u>January 2013</u>
Meal Tax	\$ 123,422.05	\$ 113,476.03
Transient Tax	\$ 65,963.61	\$ 73,962.79

Respectfully,

Joyce E. Prince



CITY OF EMPORIA

DEPARTMENT OF INSPECTIONS

**February- 2013
Code Enforcement Monthly Report**

Notices Issued

Resolved

Inoperable Vehicles - 6

0- By Owner

Weeds / Grass - 35

**3- By Owner
0- By City Contractor**

Property Maintenance - 70

0- By Owner

Zoning - 0

0- By Owner

Cases Turned Over To City Attorney – 0

Total Notices Issued – 111

Invoiced Notices- 0

**Weeds / Grass – 0
Inoperable Vehicle- 0
Demolition- 0**

**Total- Weeds/ Grass- 0
Inoperable Vehicles- 0
Demolition- 0
Total Amount- 0**

Signature :

A handwritten signature in black ink, appearing to be "M. J. [unclear]", written over a horizontal line.

Supervisor :

A handwritten signature in black ink, appearing to be "J. [unclear]", written over a horizontal line.

Emporia Police Department Statistics
Arrests by Race

February 2013

	Black	%	White	%	Other	%
Criminal Arrests	56	85%	9	14%	1	2%
Selective Tickets	389	40%	485	50%	103	11%
Regular Tickets	64	86%	7	9%	3	4%

IBR Offense Counts 2/1/2013-2/28/2013 Emporia Police Department

1	11D-Forcible Fondling
1	13A-Aggravated Assault
8	13B-Simple Assault
7	220-Burglary/Breaking & Entering
4	23C-Shoplifting
1	23D-Theft From Building
1	23E-Theft From Coin-Operated Machine
4	23F-Theft From Motor Vehicle
3	23H-All Other Larceny
2	250-Counterfeiting/Forgery
2	26E-Wire Fraud
8	290-Destruction/Damage/Vandalism of Property
13	35A-Drug/Narcotic Violations
5	90D-Driving Under the Influence
13	90E-Drunkenness
3	90J-Trespass of Real Property
29	90Z-All Other Offenses
	29 Unclassified 90Z

105	Total Offenses Reported
106	Total Incidents Reported

Criminal Arrestees

February 2013

Resident – 41

Non-resident - 25

CONSENT SEARCHES

DATE	RACE	REASON	RESULTS	ARREST
2/15/13	w/m	Traffic stop	Marijuana	Yes
2/25/13	b/m	Traffic stop	Marijuana	yes

Noise complaints
February 2013

Loud Music from House – 4 no summons

Loud Music from Vehicle – 2 no summons

Schools

February 2013

T. Allen and D. Jarratt attended Basic Narcotics Investigation in Portsmouth January 28 – February 6.

G. Garnes attended Defensive Tactics Instructor recert at Crater February 14-15.

J. Romano, A. Artis, L. Carter, and S. Allen attended Internal Affairs Basic in Henrico February 19-21.

G. Garnes attended Use of Force Myths in Virginia Beach February 22.

T. Miller attended FTO recert at Crater February 28-March 1.

Emporia Animal Control Monthly Report

Feb. 2013

Dogs

On Hand	<u>2</u>
Stray	<u>7</u>
Seized	<u>2</u>
Bite Cases	<u>-0-</u>
Surrendered by Owner	<u>5</u>
Transferred In	<u>-0-</u>
Others	<u>-0-</u>
Claimed by Owner	<u>1</u>
Adopted	<u>3</u>
Transferred Out	<u>-0-</u>
Died in Facility	<u>1</u>
Euthanized	<u>-0-</u>
Remain	<u>11</u>
<u>Wildlife</u>	
Wild or Fowl	<u>3</u>
DOA	<u>3</u>
Relocate	<u>-0-</u>
On-Hand	<u>-0-</u>
Euthanize	<u>-0-</u>

Cats

On Hand	<u>1</u>
Stray	<u>5</u>
Seized	<u>-0-</u>
Bite Cases	<u>-0-</u>
Surrendered by Owner	<u>-0-</u>
Transferred In	<u>-0-</u>
Others	<u>3</u>
Claimed by Owner	<u>-0-</u>
Adopted	<u>3</u>
Transferred Out	<u>-0-</u>
Died in Facility	<u>-0-</u>
Euthanized	<u>-0-</u>
Remain	<u>3</u>

General

Calls Answered	<u>113</u>
Hours	<u> </u>
Mileage	<u> </u>
Verbal Warning	<u>2</u>
Summons Issued	<u>-0-</u>
Court Cases	<u>-0-</u>

Remarks _____

Prepared by: Gay Loney

City of Emporia Sheriff's Office

201 South Main Street
P. O. Box 511
Emporia, VA 23847
Phone: (434) 634-4671



March 1, 2013

From the Office of:

Sheriff Sam C. Brown

**The Honorable Mayor
City Manager
Honorable Members of City Council**

Dear Members of City Council:

The Emporia Sheriff's Office spent approximately 206 hours in General District and Juvenile & Domestic Relations Court in **February, 2013**. We served a total of **375** civil papers. These are broken down as follows:

Capias	1
Detention Order	4
Debt	7
Detinue	6
Garnishments	5
Interrogatories	1
Misdemeanor Warrants	26
Notice of Lien	4
Notice	2
Protective Order	8
Show Cause	18
Subpoena duces tecum	5
Support Order	3
Summons	254
Transportation	13
Unlawful Detainer	15
Withhold Order	3

We collected **\$12.00** Sheriff Fees for the month of **February, 2013**. We had **13** transports for the month.

Sincerely,

A handwritten signature in cursive script that reads "Sam C. Brown".

Sam C. Brown, Sheriff

Detailed Selected Statistics & Management Activity

Selected Coded Field: Basic: Incident Type

Report Period: From 02/01/2013 to 02/28/2013

CODE	DESCRIPTOR	FREQUENCY	FREQ. PERCENT	EXPs	AVG # SUPPR PERS	AVG # EMS PERS	AVG # OTHER PERS	AVG # SUPPR APPR	AVG # EMS APPR	AVG # OTHER APPR	AVERAGE # MAN HOURS	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
131	Passenger vehicle fire	1	7.14 %	0	18.00	0.00	1.00	3.00	0.00	1.00	58.90	58.90	10.00
142	Brush, or brush and grass mixture fire	2	14.29 %	0	15.00	0.00	1.00	3.00	0.00	1.00	16.13	32.27	8.00
151	Outside rubbish, trash or waste fire	1	7.14 %	0	15.00	0.00	0.00	3.00	0.00	0.00	21.75	21.75	5.00
324	Motor vehicle accident with no injuries	6	42.86 %	0	11.17	0.17	1.00	2.00	0.00	1.00	11.53	69.18	7.83
352	Extrication of victim(s) from vehicle	1	7.14 %	0	9.00	0.00	0.00	2.00	0.00	0.00	4.35	4.35	11.00
611	Dispatched & canceled en route	3	21.43 %	0	11.67	0.00	1.33	3.00	0.00	1.33	2.59	7.78	8.00
Totals		14	100.00 %	0	12.43	0.07	0.93	2.50	0.00	0.93	13.87	194.23	8.07
Mutual Aid Given Incidents		0											



CITY OF EMPORIA

Memorandum

March 15, 2013

TO: Honorable Mayor and City Council

FROM: Steven B. Hall, Assistant City Manager *SA*

SUBJECT: Conditional Use Permit Request – 773 North Main Street – “Smooove Operators”

ITEM #: 13-11

Mr. Timothy Yates has applied for a conditional use permit to “begin having karaoke/lounge” at his restaurant “Smooove Operators” located at 773 North Main Street, also identified as City Tax Map Number 83-A-0-11. The property is located in the C-2 Commercial district. Zoning compliance has been obtained for a restaurant use at the property and to my knowledge the business has been operational for approximately four months.

Mr. Yates’ application to the City stated he is, “pursuing to have special events, karaoke, alcoholic beverages, live bands, comedy performances at my restaurant occasionally.” City Code section 90-77 (b) allows for “Nightclubs with conditional use permit.” City Code section 90-1 states “*Nightclub* means an establishment for evening entertainment, generally open until the early morning hours that serves liquor and usually food and offers patrons music, comedy acts, a floor show, or dancing.” Under this framework and understanding that Smooove Operators serves/will serve alcoholic beverages, I consider the request falls under the City’s definition of “nightclub.”

Utilities

This site is an existing building serviced by all utilities.

Ingress and Egress

This site is an existing building and has the appropriate ingress/egress.

Surrounding Land Uses

This property is in the C-2 Commercial district. As stated in City Code section Section 90-71(a), the purpose is to “accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being

concentrated within a centralized, C-1 district area.” As depicted in the attached zoning map, bordering land uses fall within the C-2 Commercial and R-3 Residential districts.

Comprehensive Plan Review

The Future Land Use Map in the City of Emporia Comprehensive Plan for 2008-2028 depicts this area as “Retail and Service.” A description of retail and service per the plan is as follows; “The purpose of this category is to provide for an appropriate dynamic variety of uses adjacent to the downtown for commercial, financial, professional, governmental, and cultural activities. This category is intended to promote an attractive, convenient, and relatively compact arrangement of uses and buildings with a strong pedestrian orientation. Signage and outdoor storage should be adequately controlled to promote an attractive and stable urban environment.” This proposed use is consistent with the future land use designation for the location in question.

Previous Land Use Amendment Applications

To my knowledge, there has been no previous land use amendment application filed in connection with this parcel.

Recommendation

In discussing this matter with Police Chief Don Wyatt, he has no reason to recommend denial of the request. I have also discussed this matter with Agent Velvin of the Virginia Department of Alcoholic Beverage Control (ABC). An application was submitted in December and is currently being processed. Agent Velvin indicated she had met with the owners in November 2012 to review Virginia ABC laws and possible outcomes of any violation.

The Planning Commission held a Public Hearing on this matter on March 12, 2013 and unanimously recommended approval of the request with conditions stated below:

- A yearly review by City Council.

Per Section 90-55 of the City of Emporia Code of Ordinances, “Any conditional use permit may be authorized and issued for either a limited or an indefinite period of time and shall be revocable by council at any time for failure to adhere to the applicable conditions. Before revoking any such permit, however, council shall afford the permit holder an opportunity to be heard, giving at least five days' written notice of the time and place of such hearing, served as prescribed by law.”

Staff recommends approval of the conditional use permit request with the aforementioned conditions.

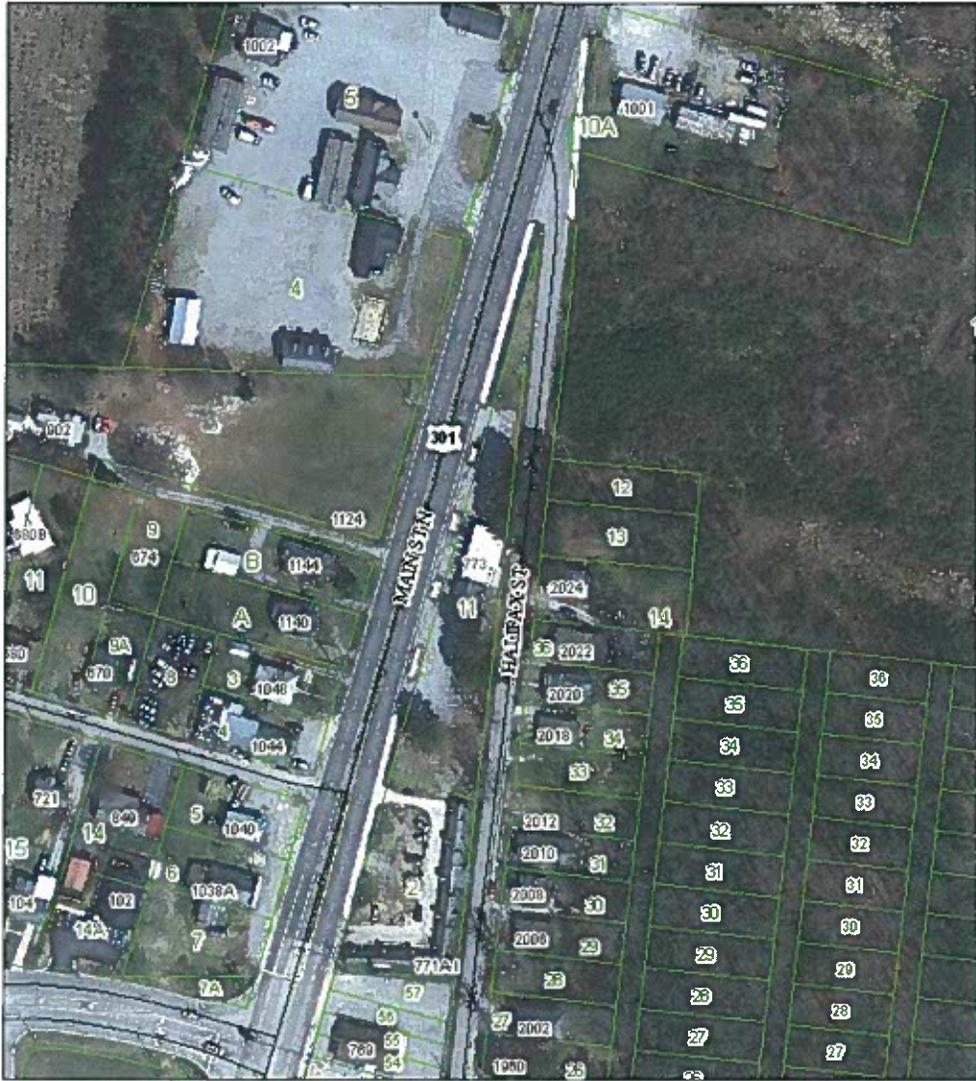
Attachments

Zoning Map, Aerial Photo, Existing Appearance of 773 North Main Street
Conditional Use Permit Application
Correspondence from Mr. Mark Yeattes – In Support

773 North Main Street – C-2 Zoning District



773 North Main Street – Aerial Image



773 North Main Street – Looking South



773 North Main Street – Looking North





City of Emporia
 Community Development and Planning
 201 South Main Street
 Emporia, VA 23847
 (434) 634-3332 (434) 634-0003 Fax

Permit Number _____
 Date _____
 Tax Map # _____
 Zoning District _____

LAND USE AMENDMENT APPLICATION
Information must be typed or printed and completed in full.
Attach additional pages where necessary.

Land Use Information:

Application Type: (Circle One): Variance Rezoning Conditional Use Permit
 Special Exception Amendment Appeal
 Telecommunications Tower Co-location on existing tower

Description of Request: "Restaurant" Opening Small Restaurant
(Smooove Operators)

Proposed Acreage: _____

Applicant/Agent Information:

Is the applicant: Property Owner (If property owner skip to next section) Contract Purchaser Other: _____

Agent(s): Timothy Yates Phone # 347-860-2820

Address: 199 Waterwheel Rd. Emporia Va
23847

If you are the agent for the property owner, do you have consent of the owner attached? Yes No

Property Owner Information:

Property Owner (s): Mark Yeates

Phone # 434-634-4373

Address: 800 N. Main St.
Emporia Va. 23847

Property owners mailing address (If this is different from that listed in the Assessor's Office)

Subject Parcel Information

Location of Property: _____

Street Address: 773 N. Main St. Emporia Va 23847

General Description of Property:

Current Zoning (circle one)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Proposed Zoning (for rezoning request)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Existing Use(s) of Property

A. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

I am pursuing to have Special Events, Karaoke, Alcohol beverages, live bands and comedy performance at my restaurant occasionally.

B. Section(s) of the City Code that pertain to this request

C. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or City in general. Include where applicable; information concerning use of public utilities/services, relationship to the comprehensive plan effect of request on public schools, traffic impact, means of access to nearest public road, existing and future area development, etc.

D. Has any previous application for a land use amendment been filed in connection with these parcels? List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question. If this application is to amend an existing special use

exception, or other applicable amendment, please explain the request (proposed change in structure(s) including all signs).

E. Proffers and Conditions

List any conditions or proffers currently associated with this property.

If the applicant proffers any conditions (§ 15.2-2297 of the Code of Virginia), they must:

- 1) Have a reasonable relationship to the rezoning
- 2) Not include a cash contribution to the City of Emporia
- 3) Not include mandatory dedication of property
- 4) Not include payment for construction of off-site improvements

Proffers may be amended in writing prior the Planning Commission public hearing.

If this is an application for a **conditional zoning**, the following conditions are voluntarily proffered:

F. Please list any and all restrictive covenants, deed restrictions and other special considerations:

G. If required by the Zoning Administrator, attach a site plan / plot plan / survey plat / building dimensions / densities showing the location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

Notes:

- (1) Special use permits shall be for an indefinite period of time unless the Planning Commission imposes a condition specifying a shorter duration. Such permits shall run with the land unless the City of Emporia imposes a more restrictive condition with regard to the succession to rights in such a permit.
- (2) The City of Emporia may include, as part of the ordinance granting any conditional use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This application for a conditional special use permit must be accompanied by two (2) copies of any required site plans or plot plans.

H. If requesting a variance, explain the unique physical hardship or extraordinary situation (size, shape, topography, etc.) that is justification for the request:

I. Explain how the zoning ordinance prohibits or unreasonable restricts the use of the property.

J. Applicant Remarks

Checklist:

- ✓ The required fee must accompany this application. A fee schedule is attached for your convenience. Checks must be made payable to: "Treasurer, City of Emporia".
- ✓ Enclosed with the application, a copy of the appropriate city tax map with the property marked and, if available, a surveyed plat of the entire parcel.
- ✓ Enclose with this application any required plans or plats (plans must be folded).
- ✓ Enclose with this application any additional information to assist with review and determination.

I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: 2/14/13

Applicants Name Timothy Yates
(Typed or printed)

Signature of Applicant 

Note: Incomplete application will not be accepted. Any request that requires plans must be accompanied by those plans at the time submission of the application.

For Office Use by the Community Development Planning and Zoning Department and/or the Planning Commission

Zoning/Subdivision Code **(90-14 or 66-8): Fee Paid:**

Copy of Receipt attached

Action Taken:

Planner / Zoning Administrator

Date

Planning Commission

Date

City Council

Date

PERMIT FEES

VARIANCE	\$300.00
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Mark W. Yeattes Sr.
800 North Main Street
Emporia, Virginia 23847
434 634-4373

March 12, 2013

City of Emporia

Attn: Zoning Administrator
Steven B. Hall

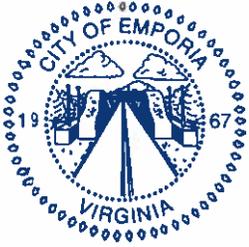
Re: Public Hearing of the Planning Commission scheduled for Tuesday,
March 12, 2013 at 7:30 p.m.

Agenda:

As the adjacent property owner of Dominion Auto, I do not foresee a problem with Mr. Timothy Yates operating a "nightclub" at 773 North Main St. The added bonus would be extra security patrolling this area after hours.

Thank you,
Mark W. Yeattes


Dominion Auto Brokers, Inc.



CITY OF EMPORIA

Memorandum

March 15, 2013

TO: Honorable Mayor and City Council

FROM: Steven B. Hall, Assistant City Manager *SH*

SUBJECT: Belfield Business District Revitalization Project – CDBG Application

ITEM #: 13-12

The Community Development Block Grant (CDBG) program is a federal program created by the Housing and Community Development Act of 1974. In Virginia, the Department of Housing and Community Development (DHCD) administers the program. The program provides funding for local governments to address and meet community development needs, particularly of low-and-moderate-income persons. The stated goal of the CDBG program is to: (1) improve the economic and physical environment in Virginia's communities through implementation of activities which primarily benefit low and moderate income persons, (2) prevent or eliminate slums and blighting conditions, or (3) meet urgent needs which threaten the welfare of citizens.

DHCD anticipates a total of approximately \$17,000,000 being available for 2013 Community Improvement Grants with approximately \$9,000,000 available for Competitive Grants. There are 286 eligible towns, cities, and counties in Virginia. Typically, 50-60 communities will submit applications and 10-15 of these will receive funding. A wide range of activities can be pursued with CDBG funds. The five primary project types under the Competitive CIG program are:

1. Comprehensive Community Development
2. Housing
3. Economic Development
4. Community Facility
5. Community Service Facility

The Belfield Business District Revitalization Project will be submitted as an Economic Development project under the CDBG goal of 'elimination of slums and blighting conditions.'

Project Background

- The planning process has been ongoing since summer of 2012 – funded thru a \$35,000 CDBG planning grant from DHCD
- The planning process included public meetings, a Visioning process, development of an Economic Restructuring Plan, and a Proposed Improvement Plan

- The first public hearing for this project was held administratively on February 12, 2013.

The following activities and improvements are being proposed for the Belfield Business District Revitalization Project:

- Annual Alley and Street Cleanup (\$3,000)
- Façade Improvement Program (\$434,500)
 - Improvement of 32 facades
 - Professional design assistance provided
- Infrastructure Improvements (\$118,096)
 - Milling and repaving of Baker Street
 - Replacement of curb and gutter on Valley Street and Green Street
 - Replacement of seven (7) driveway aprons on Valley Street and Green Street
 - Replacement of sidewalk on Valley Street
 - Installation of five (5) stamped pavement crosswalks along Halifax Street
 - Installation of crosswalk signage
 - Replacement of two (2) storm drain drop inlets an Valley Street and Green Street
 - Installation of two (2) vintage street lights at the corner of Baker Street and Halifax Street
 - Installation of directional and wayfinding signage throughout the project area
- Construction of a public event space on city-owned property at the corner of East Atlantic Street and Halifax Street (\$32,000)
- Construction of a community garden on city-owned property at the corner of Halifax Street and Valley Street (\$20,000)
- Request for CDBG Enhancement funds for Belfield District marketing and city website upgrades (\$20,000)
- Project Administration (\$80,000)
- Engineering and Design Services (\$15,000)

TOTAL CDBG FUNDS REQUESTED	\$719,596
TOTAL CITY FUNDS (CAPITAL & IN-KIND)	\$ 38,000
TOTAL LEVERAGE FUNDS (CITY & PRIVATE)	\$773,651
TOTAL PROJECT	\$1,488,307

Additional Information

- ❖ CDBG application due to the Virginia Department of Housing and Community Development on or before March 27, 2013
- ❖ CDBG funding announcements will come from the Governor’s Office late June or early July
- ❖ If awarded, contract negotiation will occur towards end of the year.
- ❖ Project should begin early Spring 2013

Recommendation

I recommend you approve the attached resolution.

Attachments

Resolution

A RESOLUTION AUTHORIZING THE PREPARATION AND FILING OF AN APPLICATION FOR COMMUNITY IMPROVEMENT GRANT FUNDS THROUGH THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM OF THE COMMONWEALTH OF VIRGINIA FOR THE BELFIELD BUSINESS DISTRICT REVITALIZATION PROJECT

WHEREAS, the City of Emporia has participated in the Small Cities Community Development Block Grant (CDBG) Program under the Virginia Department of Housing and Community Development's 2012 Planning Grant Program in undertaking a study for the revitalization of the Historic Belfield District; and

WHEREAS, the City of Emporia is eligible for and wishes to submit a 2013 CDBG application for Business District Revitalization grant funds for a total of \$719,596 to the Virginia Department of Housing and Community Development (VDHCD) on or before March 27, 2013 for consideration during the 2013 funding round; and

WHEREAS, the City has identified and designated a project area characterized by slums and blight due to building, infrastructure and site deterioration that has served as a disincentive for private investment leading to unrealized commercial potential and underutilized buildings in the Belfield District; and

WHEREAS, the City conducted surveys of businesses, property owners and City residents, conducted meetings that included the general public, city staff and public officials, and completed a needs assessment whereby slums and blight, marginal business operations, vacancies, storefront deterioration, poor pedestrian safety and access, deficient landscaping, lack of public open space and insufficient signage were identified as major concerns of property owners, business owners and other stakeholders; and

WHEREAS, a physical and economic revitalization program has been prepared including a Preliminary Engineering Report (PER) presenting all required infrastructure improvements, a Market Study assessing the area's strengths and weaknesses and identifying community priorities, an Economic Restructuring Plan detailing the strategies needed to promote private investment in the Belfield District, and a Façade Improvement Program to eliminate blight, spur new private business investment and create jobs; and

WHEREAS, the City has received signed statements of interest from sixteen (16) business owners, property owners and private developers representing thirty-two (32) façades who have committed to participate in the Façade Improvement Program, resulting in a 82% participation rate; and

WHEREAS, the City has completed a Preliminary Engineering Report that identifies deficiencies with infrastructure in the Belfield District project area and recommends the milling

and repaving of 1,386 square yards of Baker Street; replacement of 755 linear feet of curb and gutter on Valley Street and Green Street; replacement of seven (7) driveway aprons on Valley Street and Green Street; replacement of 280 linear feet of sidewalk on Valley Street; installation of five (5) stamped pavement crosswalks at the intersection of Halifax Street and East Atlantic Street, Halifax Street and Baker Street, and Halifax Street and Southampton Street; installation of crosswalk signage at the five (5) crosswalks; replacement of two (2) storm curb drop inlets on Valley Street and Green Street; installation of two (2) vintage street lights at the corner of Baker Street and Halifax Street; and installation of wayfinding and directional signage throughout the project area; and

WHEREAS, the City has previously acquired, demolished, and rebuilt the adjoining party walls of three (3) severely dilapidated structures in the project area totaling \$337,331 in value; and

WHEREAS, the City will develop a public event space on city-owned property at the corner of Halifax Street and East Atlantic Street, formerly known as the Bloom property, and will also provide the city-owned lots at the corner of Halifax Street and Valley Street for the creation of a community garden; and

WHEREAS, the City commits \$3,000 in in-kind services for annual street and alleyway cleanup, \$20,000 for construction of the public event space on city-owned property located at the corner of East Atlantic Street and Halifax Street, and \$15,000 for engineering and design fees for infrastructure improvements; and

WHEREAS, the City maintains affiliate status with the Virginia Main Street program; and

WHEREAS, the City wishes to request \$20,000 in CDBG project enhancement funds to promote the Belfield District business district in accordance with the Economic Restructuring Plan and Main Street principles and to upgrade the city website; and

WHEREAS, the City is willing to undertake blight removal in accordance with Title 36-49, Code of Virginia as part of a conservation plan, as may be required; and

WHEREAS, the City of Emporia properly advertised and conducted public hearings on February 12, 2013 and March 19, 2013 which addressed the CDBG program and the CDBG project application, thereby meeting citizen participation requirements; and

NOW, THEREFORE, be it resolved by the City Council of Emporia, Virginia, that:

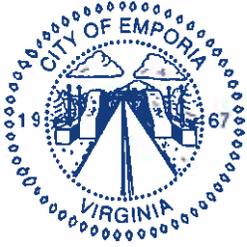
1. The City hereby commits **\$35,000** in future capital funds and **\$3,000** in in-kind services totaling **\$38,000** to carry out the Belfield Business District Revitalization Project for the purposes of blight removal, storefront improvements, infrastructure improvements, annual cleanup, and general project administrative costs.

FURTHERMORE, the Emporia City Council hereby authorizes and directs the City Manager to file the application, forms, assurances and other necessary documents as required by this program on or before March 27, 2013 to the Virginia Department of Housing and Community Development.

Adopted: March 19, 2013

By: _____
The Honorable Mary L. Person, Mayor

Attest: _____
Tessie Wilkins, Clerk of Council



CITY OF EMPORIA

Memorandum

March 15, 2013

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: City Council Meeting Time Change – Request to Adopt Ordinance Amendment
ITEM #: 13-13

At your March 5, 2013 meeting you authorized holding a public hearing at tonight's meeting to consider changing the City Council meeting from 7:30 p.m. to 6:30 p.m. This change was initially requested by Council Member Ewing. The meeting dates of the 1st and 3rd Tuesday each month would remain the same.

An ordinance to amend Section 2-31 of the City Code is attached.

Recommendation

I recommend you adopt the attached ordinance.

Attachments

Proposed Ordinance
Section 11 of City Charter

ORDINANCE NO. _____

Ordinance

An Ordinance To Amend Section 2-31 Of The City
Code Of Ordinances Of The City Of Emporia,
Virginia

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

1. That Section 2-31 of the Code of Ordinances, City of Emporia, Virginia, is hereby amended to read as follows:

Sec. 2-31. - Regular meetings—Date and time.

The regular meetings of the council shall be convened at ~~7:30~~ 6:30 p.m. on the first and third Tuesdays in each month at such place as may be designated by the council, unless previously canceled by the council.

Adopted: March 19, 2013

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney

Sec. 11. - Fixing time and place of council meetings; adopting rules; disciplining members; voting on and recording elections and appropriations of money. 

The council shall, by ordinance, fix the time and place of its meetings. It shall have authority to adopt such rules as it may deem proper for the regulation of its proceedings and may compel the attendance of its members, punish its members for disorderly behavior, and by a vote of two-thirds (2/3) of its members, may expel a member for malfeasance or misfeasance in office. The council shall determine its own rules of procedure. All elections and appropriations of money shall be by oral vote and the vote shall be recorded in the minutes of the council.



CITY OF EMPORIA

Memorandum

March 1, 2013

TO: The Honorable Mayor and City Council

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

SUBJECT: I-95 Tolls Opposition – Request to Authorize Payment of Legal Expenses

ITEM #: 13-14

As you may be aware, City Council previously authorized \$7,500 for legal expenses associated with opposing the proposed I-95 tolls in Sussex County. I have received correspondence from Greensville County staff requesting the City of Emporia, Greensville County, and Sussex County each pay an additional \$5,902.94 for expenses incurred beyond the total contribution of \$36,500.

Recommendation

I recommend you authorize payment of \$5,902.94 for the aforementioned legal expenses.

Attachment

Correspondence from Brenda Parson, Greensville County Deputy Administrator

Brian Thrower

From: Brenda Parson [bparson@greensvillecountyva.gov]
Sent: Friday, March 01, 2013 4:16 PM
To: Brian Thrower
Subject: Fwd: Greensville County - See Attached
Attachments: 20130301154040301.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon, Brian:

I have attached documents regarding the additional funding needed to pay the remainder of Kutak Rock's billing for services rendered in connection with the proposed tolling facility at exit 20 in Sussex County. As you know, a total of \$36,500 was contributed to the fund(held by Crater Planning District Commission) by various localities along the I-95 corridor. These funds have been exhausted.

This is a request for \$5,902.94, one third of the total \$17,708.82 that is outstanding. Sussex County is being asked to contribute the same amount. Please let me know when this request is approved by City Council. If you have questions, feel free to give me a call.

Thanks-
Brenda

--
Brenda N. Parson
Deputy County Administrator
Greensville County
1781 Greensville County Circle
Emporia, Virginia 23847
434.348.4205
434.348.4113

Honorable Board of Supervisors

Brenda N. Parson, Deputy County Administrator

Legal Services for Toll Road Issue

February 28, 2013

As the General Assembly has now taken action on the Governor's transportation plan and the proposed tolling facility in Sussex is no longer an issue, staff is reconciling the outstanding charges billed by Kutak Rock for professional legal services associated with Barry Steinberg's work on this issue.

Initially, many of the surrounding localities contributed funds to pay for his services. A total of \$36,500 was submitted to the Crater Planning District Commission for disbursement on a monthly basis. These funds were depleted by mid-January, 2013.

Attached is a statement of disbursements from the CPDC, along with the January billing, of which only a portion was paid. A copy of the February (and final) statement is also attached. A breakdown is given below:

Total funds available	\$36,500.00
Total billed through Feb. 2013	\$54,208.82
Additional funds needed	\$17,708.82

Staff requests an additional \$5,902.94 to pay one third of the outstanding balance due Kutak Rock. A like amount has been requested from the City of Emporia and Sussex County.



CITY OF EMPORIA

MEMORANDUM

March 15, 2013

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager
SUBJECT: Emporia Redevelopment & Housing Authority – Term Expiration (David Thomas)
ITEM: 13-15

On March 1, 2013 Mr. David Thomas' four (4) year term on the City of Emporia's Redevelopment & Housing Authority Board expired. Mr. Thomas has indicated that he does wish to be considered for reappointment.

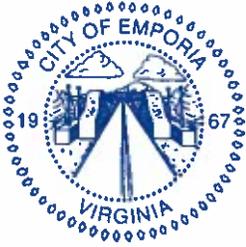
Recommendation:

This information is provided to City Council for consideration.

Attachment:

No attachment

BST/tsw



CITY OF EMPORIA

MEMORANDUM

March 15, 2013

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager
SUBJECT: Recreation Advisory Commission – Term Expirations
ITEM: 13-16

On April 1, 2013, Mr. Edward V. Lankford, IV, Mr. Samuel W. Adams, III, Mr. Rick Franklin and Ms. Doris White's one (1) year term on the Recreation Advisory Commission will expire. Mr. Lankford, Mr. Franklin and Ms. White have indicated that they do wish to be considered for reappointment. Mr. Adams has stated that he does not wish to be considered for reappointment.

Recommendation:

This information is provided to City Council for consideration.

BST /tsw



CITY OF EMPORIA

Memorandum

March 15, 2013

TO: Honorable Mayor and City Council Members

FROM: Brian S. Thrower, City Manager

SUBJECT: FY12 Audit Presentation

ITEM: 13-17

Scott Thompson with Creedle, Jones & Alga, PC is in attendance to review the FY12 audit report.

Recommendation

I recommend you approve the FY12 audit.

Attachment

FY12 Audit Report