



CITY OF EMPORIA

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, March 5, 2013 - 7:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

February 19, 2013 ~ Regular Minutes

APPROVAL OF AGENDA

UNFINISHED BUSINESS

13-09. Boards and Commission – Various Term Expirations

NEW BUSINESS

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

PUBLIC COMMENT

CLOSED SESSION

Closed Meeting pursuant to Virginia Code § 2.2 3711 (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.

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

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

Emporia City Council held a regular meeting on Tuesday, February 19, 2013 at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Carolyn S. Carey, Council Member offering the invocation.

ROLL CALL

The following City Council members were present:

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

Others present: Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manger
Steven B. Hall, Assistant City Manager
Tessie S. Wilkins, City Clerk
Don Wyatt, Chief of Police
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue

MINUTES APPROVAL

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

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

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

APPROVAL OF BILLS

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

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

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

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

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided his report to City Council members. There were no questions regarding his report.

COMMISSIONER OF THE REVENUE REPORT

Honorable Joyce E. Prince, Commissioner of the Revenue provided her report to City Council members. There were no questions regarding her report.

PERMIT AND INSPECTION REPORT

Randy C. Pearce, Building/Fire Official provided his report to City Council members. There were no questions concerning his report.

POLICE REPORT

Don Wyatt, Chief of Police provided his report to City Council members. There were no questions concerning his report.

CITY SHERIFF REPORT

Sam C. Brown, Sheriff provided his report to City Council members. There were no questions concerning his report.

CITY ATTORNEY REPORT

C. Butler Barrett, City Attorney had no matters to report to City Council members.

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

AGENDA APPROVAL

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

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

NEW BUSINESS

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

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

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

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

13-06. Fire Program Funds – Appropriation Ordinance

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

He recommended that Council approve the ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Person stated that the motion failed.

13-09. Boards and Commission – Various Term Expirations

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

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

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

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

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

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

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

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

Councilwoman L. Dale Temple aye

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

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

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

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

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

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

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

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

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

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

PUBLIC COMMENT

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

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

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

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

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

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

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

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

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

Councilwoman Lynch moved that the meeting be returned to Regular Session. Councilwoman Temple seconded the motion, which passed as follows:

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

CERTIFICATION

Councilwoman Lynch moved to certify the following:

1. only public business matters are lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Session to which this certification applies, and
2. only such public business matter as were identified in the motion by which the Closed Session was convened were heard, discussed, or considered by City Council.

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

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

ADJOURNMENT

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

Mary L. Person, Mayor

Tessie S. Wilkins, City Clerk



CITY OF EMPORIA

MEMORANDUM

February 15, 2013

TO: The Honorable Mayor and City Council

FROM: Brian S. Thrower, City Manager

SUBJECT: Boards and Commissions – Various Term Expirations

ITEM: 13-09

The City of Emporia has several members on its Boards and Commissions whose terms will expire soon. As such, they are as follows:

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

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

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

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

Recommendation

This information is provided to City Council for consideration.

Attachment:

Current Planning Commission Roster

Emporia Redevelopment & Housing Authority

Industrial Development Authority

Current Board of Zoning Appeals Roster

BST/tsw

BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

(Continued)...

Joseph Carey
6502 East Atlantic Street
Emporia, Virginia 23847
(H) 434/634-4803

02/28/2017

R. W. Little, Jr.
105 Goodwyn Street
Emporia, Virginia 23847
(H) 434/634-2590

02/28/2013

Marva J. Dunn
272 Astrio Street
Emporia, Virginia 23847
(H) 434/348-3122

02/28/2014

BOARD OF ZONING APPEALS - CIRCUIT COURT APPOINTED

Term of Office: 5 Years

(Council Recommendation - 30 days Notice)

Cora Hines
212 Lowground Road
Emporia, Virginia 23847
(H) 434/634-3718

02/28/2014

Doug Jessee, Jr.
1501 Sunset Lane
Emporia, Virginia 23847
(H) 434/634-5090

Chairman

02/28/2013

EMPORIA REDEVELOPMENT & HOUSING AUTHORITY

Term of Office: 4 Years

Veronica Leach – Chair
419 West End Blvd.
Emporia, Virginia 23847
(H) 434/348-3155 03/01/2014

Edward V. Lankford, IV
104 Beech Tree Lane
Emporia, Virginia 23847
(H) 434/348-7254
(W) 434/634-6131 03/01/2014

Mark Mitchell
417 Tillar Street
Emporia, Virginia 23847
(H) 434/634-2222 03/01/2015

David J. Thomas
625 Tillar Avenue
Emporia, Virginia 23847
(H) 434/634-4930 03/01/2013

EMPORIA REDEVELOPMENT & HOUSING AUTHORITY

(Continued)

Marva J. Dunn – Vice-Chair
272 Astrio Street
Emporia, Virginia 23847
(H) 434/348-3122 03/01/2016

William Stainback
502 Meherrin Street
Emporia, Virginia 23847
(H) 434/634-3347 01/06/2013

Carolyn S. Carey – City Council Member
6510 East Atlantic Street
Emporia, Virginia 23847
(H) 434/634-4803 08/19/2016

INDUSTRIAL DEVELOPMENT AUTHORITY

Term of Office: 4 Years

William S. Newsome
503 Jefferson Street
Emporia, Virginia 23847
(H) 434/634-3641
(W) 434/634-5141
02/28/2014

J. Reid Wrenn
426 Laurel Street
Emporia, Virginia 23847
(H) 434/634-3186
02/28/2015

Vincent Lowery
622 Clay Street
Emporia, Virginia 23847
(H) 434/634-9956
02/28/2013

Gloria Robinson
801 Peachtree Street
Emporia, Virginia 23847
(H) 434/348-7367
02/28/2013

Ruth W. Tillar
703 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-2677
Secretary
02/28/2016

Roland E. Weaver
613 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-4078
02/28/2016

David Bland
510 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-9744
02/28/2016

C. Butler Barrett
522 Peachtree Street
Emporia, Virginia 23847
(H) 434/634-5038
(W) 434/634-2167
Attorney

PLANNING COMMISSION

Term of Office: 4 Years

Woodrow L. Bryant, Jr. 604 South Oak Hill Drive Emporia, Virginia 23847 (H) 434/634-4791	06/30/2014
William S. Newsome 503 Jefferson Street Emporia, Virginia 23847 (H) 434/634-3641 (W) 434/634-5141	06/30/2013
James Ewing 221 East York Drive Emporia, Virginia 23847 (H) 434/634-1080	06/30/2016
William C. Slate, Jr. 1501 Walnut Drive Emporia, Virginia 23847 (H) 434/634-5075 (W) 434/634-3045	06/30/2016
Chris Thompson 1400 Wiggins Road Emporia, Virginia 23847 (H) 434/634-9407 (C) 434/594-6394 (W) 434/634-3217 ext 3044	06/30/2015
James Saunders 304 Battery Avenue Emporia, Virginia 23847 (H) 434/348-4030	06/30/2014
Richard Short 205 Tall Oaks Drive Emporia, Virginia 23847 (H) 434/634-5369	06/30/2013
Edward V. Lankford, IV 104 Beech Tree Lane Emporia, Virginia (H) 434/348-7254 (W) 434/634-6131	06/30/2015
Nancy B. Squire 428 Laurel Street Emporia, Virginia 23847	01/06/2013



CITY OF EMPORIA

Memorandum

March 1, 2013

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: City Council Meeting Time Change – Request by Council Member Ewing
ITEM #: 13-10

Council Member Ewing has requested the City Council meeting time be changed from 7:30 p.m. to 6:30 p.m. The meeting dates of the 1st and 3rd Tuesday each month would remain the same.

Should you wish to change the meeting time, you will need to amend City Code Section 2-31 via ordinance.

Recommendation

I recommend you authorize conducting a public hearing at your March 19th meeting, should you wish to change your meeting time. The attached ordinance will be considered on that date.

Attachment

Section 11 of the City Charter
Proposed Ordinance

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.

Editor's note—

Section 15 also provides for the prescribing of the time of council meetings.

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