

**MINUTES**  
**EMPORIA CITY COUNCIL**  
**CITY OF EMPORIA MUNICIPAL BUILDING**  
**May 21, 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, May 21, 2013 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Rev. G. W. Pugh 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  
Tessie S. Wilkins, City Clerk  
W. S. Harris, Jr., Treasurer  
Joyce E. Prince, Commissioner of the Revenue  
Ken Ryals, Emergency Service Coordinator  
Don Wyatt, Chief of Police

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, May 7, 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 May 21, 2013 bills was presented to City Council members.

General Fund	\$	880,354.82
Utility Fund	\$	273,022.38

Councilwoman Mercer moved to approve the May 21, 2013 bills as presented, 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

## **FINANCIAL AND TAX REPORTS**

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

## **COMMISSIONER OF THE REVENUE REPORT**

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

## **PERMIT AND INSPECTION REPORT**

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

## **POLICE REPORT**

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

## **CITY SHERIFF REPORT**

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

## **CITY ATTORNEY REPORT**

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

## **AGENDA APPROVAL**

Councilwoman Temple moved to approve the agenda as presented, seconded by Councilwoman 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**

### ***13-24. City of Emporia Emergency Operations Plan – Request to Adopt Resolution***

Mr. Thrower reported that the Virginia Code § 44-146.19 requires each locality to conduct a comprehensive review and revision of its emergency operations plan every four years to ensure that the plan remains current. He stated that the revised plan must be formally adopted by the locality's governing body.

Councilman Ewing made a motion to adopt **Resolution No. 13-04** approving revisions to the City's Emergency Operations Plan and adopting the same, 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

### ***13-25. Community Health Advocacy Team – Presentation by Kristin Vaughn, Chairperson***

Mr. Thrower stated that Kristin Vaughn, Chairperson of the Community Health Advocacy Team (CHAT) was in attendance to brief Council on CHAT's activities.

Kristin Vaughn, Chairperson of the Community Health Advocacy Team (CHAT) stated that the team is a collaborative network of community members, leaders, and organizations. She also stated that the Community Health Advocacy Team has adopted its mission statement, "A collaborative network of community members, leaders and organizations whose purpose is to identify health needs and to provide mobile resources to address those needs." She further stated that the group has completed a strategic plan and the outcome directs the group toward two areas of interest, which is chronic disease and healthy birth outcomes. She stated that the CHAT has

made wonderful progress over the past two years and she look forwards to working with Council as the CHAT advances into the future.

No action taken by Council.

***13-26. Sanitation Code Amendments – Request to Authorize a Public Hearing***

Mr. Thrower reported that at the Council Retreat and during recent budget work sessions, he is recommending several amendments to the City’s sanitation collection and billing system. He stated that the major recommended amendments and clarifications include:

- ❖ Multifamily dwellings – The occupant of each unit shall be charged the \$20.50 per month sanitation fee regardless of the type of disposal and collection method utilized on the premises, i.e. use of dumpsters or trash receptacles.
- ❖ Commercial establishments – Businesses, industries, civic organizations, public agencies, non-profits, and any other non-residential customer shall pay \$5.00 per cubic yard for sanitation service when utilizing a dumpster. Those entities using an individual trash receptacle shall be charged the \$20.50 per month sanitation fee.
- ❖ Multiple trash receptacles - Any customer (residential or commercial) issued more than one trash receptacle shall be charged an additional \$5 per receptacle per month over the monthly base fee of \$20.50, regardless of actual use. This shall apply to both current and future customers. For example, if a customer is issued two receptacles, his/her monthly sanitation fee would be \$25.50.
- ❖ The City maintains the authority to determine the type of disposal and collection method to be utilized at each property or by each customer, i.e. use of dumpsters or trash receptacles.

He recommended that Council authorize conducting a public hearing at the June 4, 2013 meeting to consider the aforementioned amendments to the sanitation code. He stated that if Council should approve the code amendments at the June 4, 2013 meeting, the changes would become effective on July 1, 2013.

Councilman Ewing made a motion to authorize conducting a public hearing at the June 4, 2013 meeting to consider the aforementioned amendments to the sanitation code, 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

Mayor Person presented a resolution of distinguished recognition to Mr. Lamonte Ridley.

**PUBLIC COMMENT**

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

*Rev. G. W. Pugh, 730 Halifax Street*, addressed Council asking if the City would consider funding the Habitat of Humanity build there 8<sup>th</sup> home. He also had concerns that the community does not know the services offer by District 19 located in Emporia.

*Willie Taylor, 204 Lowground Road*, addressed Council on behalf of Robinson Cab services inquiring why they were told to pull up the flowers and stop cutting the grass at an empty lot next to them owned by the City.

Mr. Thrower stated that the lot is privately owned and permission is needed to cut the grass and plant flowers there.

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 job assignments and salary or compensation of a specific employee and (A) (29) concerning a contract for water supply where public discussion of the terms or scope of the contract 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

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## **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

Councilwoman White made the motion to approve an annual stipend in the amount of \$1,800 to be paid to the City Clerk in recognition of her additional job assignment of assisting the Treasurer's Office with utility billing and collections functions on a continual basis. Furthermore, the City Clerk's work in the Treasurer's Office shall not exceed sixteen hour per month, unless approved by City Council or the City Manager. It is further understood that City Clerk responsibilities take precedent over assisting the Treasurer's Office with utility billing and collections functions and that the City Clerk has flexibility to adjust her work schedule in the Treasurer's office in order to meet her primary job duties as City Clerk. The annual stipend and additional job assignment shall be reviewed by City Council each fiscal year during the budget development process, Councilwoman Carey 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.

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Mary L. Person, Mayor

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Tessie S. Wilkins, City Clerk