

## **PUBLIC HEARINGS**

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### **1. South Main Street Improvement Project – Phase I: Utility Relocation**

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Emporia's City Council held a Public Hearing on Tuesday, November 1, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the session.

The following City Council members were present:

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

Others present: Samuel W. Adams, III, Mayor  
C. Butler Barrett, City Attorney  
Steve B. Hall, Assistant City Manager  
Brian S. Thrower, City Manger  
Tessie S. Wilkins, City Clerk  
Don Wyatt, Chief of Police  
Royal Jones, Public Works Director

### **1. South Main Street Improvement Project – Phase I: Utility Relocation**

Mr. Hall stated that at the October 18, 2011 Regular Meeting of City Council, staff received authorization to submit an application for continued funding through the VDOT Enhancement Program. He also stated that the application package has been prepared and submitted. He further stated that if the full request is awarded, further applications will be necessary. He reported that a total of \$1,190,484 of grant funding has been awarded since 1998 for both phases of the project; utility relocation and streetscape improvements.

Mr. Hall stated that as it presently stands, the City is preparing to embark on Phase I: Utility Relocation. He also stated that the package of materials necessary to obtain Federal Right-of-Way (ROW) Authorization has been prepared and forwarded to VDOT. He further stated that included in this package are the utility relocation estimates, the approved Environmental Document and Utility relocation engineering. He stated that the City is presently in discussion with the First Presbyterian Church and Greensville County regarding aerial utility easements. He also stated that as soon as the Federal ROW Authorization has been received, utility relocation may commence.

Mr. Hall reported that last week, City staff conducted outreach to businesses and passed out flyers along the South Main Street corridor. He also reported that a Public Forum was held November 1, 2011 from 4-6pm in order to keep residents and business-owners informed as we

move toward utility relocation. He further reported that comments and concerns of property owners, business owners and citizens are valued and very important to record and keep in mind as this project begins to pick up momentum.

Mr. Hall stated that Archie Drudge of Stantec Consulting was also present to assist in answering questions posed at this hearing. He also stated that no action was required by City Council at this time.

Mayor Adams asked if anyone wished to speak concerning the matter.

**Bill Belmonte, 208 Battery Ave**, addressed Council by thanking them for moving the South Main Street Improvement Project – Phase I: Utility Relocation.

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

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Samuel W. Adams, III, Mayor

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Tessie S. Wilkins, City Clerk

**MINUTES**  
**EMPORIA CITY COUNCIL**  
**CITY OF EMPORIA MUNICIPAL BUILDING**  
**November 1, 2011**

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

Emporia City Council held a regular meeting on Tuesday, November 1, 2011 at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Samuel W. Adams, III presided over the meeting with Dr. Walter Laseter, offering the invocation.

**ROLL CALL**

The following City Council members were present:

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

Others present:

Samuel W. Adams, III 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  
Royal Jones, Public Works Director

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, October 18, 2011 Regular Meeting Minutes, as presented, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Deborah D. Dixon	aye

Councilwoman L. Dale Temple                    aye  
Councilwoman Beverly White                    aye

**AGENDA APPROVAL**

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

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

**UNFINISHED BUSINESS**

***11-87. Highway Safety Commission – Term Expirations***

Mayor Adams stated that this item was to be continued at the November 15, 2011 City Council Regular meeting.

**NEW BUSINESS**

***11-94. Commonwealth TransTech Alliance – Request for Appointments***

Mr. Thrower stated that multiple localities including the City of Emporia, Greensville County, Brunswick County, Mecklenburg County, Nottoway County, Charlotte, and Lunenburg County, have formed the Commonwealth TransTech Alliance (CTA). He also stated that this is a new regional economic development organization that will be marketing our region to economic development prospects. He further stated that the group was recently awarded \$368,000 in seed funding by the Tobacco Commission and Virginia Department of Housing and Community Development (DHCD).

Mr. Thrower stated that the CTA’s steering committee has been meeting on regular basis to discuss the organizational structure moving forward. He also stated that the committee requested that each participating locality appoint two individuals, such as the locality administration/manager, economic development director, and/or elected officials, to the governing board. He further stated that the initial board will be comprised of fourteen individuals representing all seven localities. He stated that it is anticipated that the governing board will then appoint up to another six at large members representing the private and higher education sectors. He also stated that it is also anticipated that board meetings will be held during daytime hours.

He recommends that Council appoint two individuals to serve as City of Emporia representatives on the Commonwealth TransTech Alliance governing board.

Councilman Harris moved to nominate Mayor Sam Adams and Brian Thrower, City Manager to serve as City of Emporia representatives on the Commonwealth TransTech Alliance governing board.

Councilman Harris made a motion to approve Mayor Sam Adams and Brian Thrower, City Manager to serve as City of Emporia representatives on the Commonwealth TransTech Alliance governing board, seconded by Councilman Saunders, which passed as follows:

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

### ***11-95. Voting District Map – Redistricting***

Mr. Thrower stated that every decennial census marks the opportunity for localities to engage in the redistricting process. He also stated that over the last several months, he had been exploring redistricting scenarios and options with the assistance of Crater Planning District Commission staff, the City Attorney, and Troutman Sanders Law Firm. He further stated that in reviewing Emporia’s 2010 census data, current and potential district boundaries, and thoroughly analyzing Voting Rights Act requirements, legal counsel recommends that City Council retain its current Voting District Map.

Mr. Thrower stated that there are two options for Council to consider at this time. He also stated Option 1 is for Council to maintain the current Voting District Map, as recommended. He further stated that if Council should agree with this course of action, legal counsel recommends the City hold a public hearing on the matter and then formally approve maintaining the voting districts in their current form. He stated that this could be accomplished at Council December 6, 2011 meeting. He also stated that no further action would be required by the City.

Mr. Thrower stated that Option 2 is for Council to amend the Voting District Map. He also stated that if Council wish to pursue this option, he recommend Council to appoint a committee of two Council Members to study the issue and make a formal recommendation to City Council. He further stated that the City Manager, City Attorney, and Troutman Sanders Law Firm would assist the committee with this process, should Council choose this option. He stated that once a recommended map is prepared under this option, the City would need to hold a public meeting, hold a public hearing, approve the new map and ordinance, and then send the plan to the Department of Justice for approval by the deadline of December 31, 2011.

Councilman Harris moved to approve Option 1 for Council to maintain the current Voting District Map, seconded by Councilwoman Carey which passed as follows:

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

### ***11-96. Adult Activity Services Funding Request***

Mr. Thrower stated that Council Member Saunders has requested for this item be put on agenda. He also stated that James R. Scott, III, Executive Director of Adult Activity Services (AAS), is requesting the City to fund his organization in the amount of \$9,120.00 to assist with operations.

Mr. Thrower stated that AAS previously requested \$9,120.00 in the FY12 budget. He also stated that this expenditure was not included in my recommended budget nor was it approved in Council adopted budget. He further stated that although no one would disagree that AAS provides a great service for those adults with intellectual disabilities and intellectual challenges, Mr. Thrower stated that he do not recommend Council to fund this request.

Mr. Thrower stated that in his opinion, granting this type of request outside of the normal budgeting cycle serves to compromise the integrity of the budget development and adoption process, especially in terms of civic/community organizations that have no direct impact on or tie to City operations or functions. He also stated that granting this request may lead to other organizations that have not been funded at all or wish to increase funding to come directly to Council after the annual budget has been adopted. He further stated that the proper time for civic/community organizations to request funding is during budget workshops and the public hearing before the annual budget is adopted.

Mr. Thrower stated that when developing the City's annual budget, staff and Council has to make tough choices regarding funding priorities. He also stated that many departmental requests and needs go unfunded each year to balance the budget. He further stated that granting this request would be putting the needs of a civic/community organization above departmental needs that are directly tied to City operations and functions.

James R. Scott, III, Executive Director of Adult Activity Services (AAS) stated that the AAS is a private non-profit corporation that provides a variety of habilitative, rehabilitative, pre-vocational, vocational, and functional support services to adults with intellectual disabilities and behavioral challenges. He also stated that with the downturn in the economy coupled with constantly increasing costs associated with program operations have seriously impacted the AAS ability to adequately serve those adults with intellectual and behavioral challenges who continue to need there services on a daily basis. He further stated that the AAS are requesting financial assistance from the localities for which they have been providing services for the past 34 years to help with the projected annual budget shortfall of approximately \$38,000.00 He stated that the AAS have seventeen consumers in Emporia, twenty-seven in Greenville, seventeen in Sussex, and four in Surry. He also stated that AAS requested \$13,000 from Greenville County this year but was funded \$10,000.00. He further stated that AAS have send out funding request for 2011 to Sussex and Surry County to reconsider.

Councilman Saunders advised Mr. Scott that any request for funding for next year's budget that the AAS should be present in the budget workshops to speak on behalf of AAS.

Mayor Adams inquired if the request that AAS is requesting is because of the decreases that the AAS have experienced from the federal and state. Mr. Scott stated yes. Mayor Adams stated that this is another shift from the federal and state down to the localities.

Mr. Scott stated that over the last three years the AAS had two full times and three part time positions eliminated. He also stated that the AAS had a Medicaid reimbursement cut July 1 and was not notified of the cut.

Mayor Adams stated that every organization he knows that receives funding from the state and feds has been cut. He also stated that the localities cannot shoulder that burden. He also stated that he understand AAS plight but the City and every program that is associated with state or federal government are getting cut.

Councilwoman Carey asked Mr. Scott what would be AAS minimum funding needed from the City of Emporia.

Mr. Scott stated that if Council saw fit to fund AAS at any level it would provide some relief for them.

Councilman Saunders made a motion to appropriate the Sum of \$6,000.00 from the General Fund to the Adult Activity Services, seconded by Councilwoman Carey, which passed as follows:

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

Councilman Harris stated that he didn't disagree with anything that's been said by anybody in regard to this discussion. He also stated that state cuts to schools, police, library funds, juvenile community crime control act funds, comprehensive services act funds, the Registrar, Commissioner of Revenue's Office, and Treasurer's Office that has joint funded service from the state are being shifted constantly to localities. He also stated that he support the suggestion in funding the AAS this year because it has been part of the previous budgets.

### ***11-97. Mega Site – Request to Adopt Resolution***

Mr. Thrower stated that Greensville County and the City of Emporia have been working on the Mega Site project, otherwise known as the Mid-Atlantic Advanced Manufacturing Center (MAMaC), over the last several years. He also stated that the two localities plan on submitting a joint application to the Tobacco Commission in the next couple of weeks requesting a total of \$7,215,412 to purchase a portion of the site and further design and develop the property. He further stated that one-eighth (1/8<sup>th</sup>) of the City's projected Water Treatment Plant Upgrade project costs, minus previously awarded Tobacco Commission and Health Department grants, will be used as the local match requirement for the grant application.

Mr. Thrower stated that the resolution states that Emporia City Council supports the development of the MAMaC as a regional economic development opportunity, agrees to be a co-applicant in the upcoming Tobacco Commission grant application, is committed to entering into a cost/revenue sharing agreement with Greensville County and other supporting localities, and is

committing \$1,354,000 (1/8<sup>th</sup> of City's projected Water Treatment Plant Upgrade project costs) to provide MAMaC with adequate water service.

He recommends that Council approve the resolution in order to seek grant funding from the Tobacco Commission for the Mega Site project.

Councilman Harris made a motion to adopt **Resolution No. 11-11** supporting the development of Mid-Atlantic Advanced Manufacturing Center, seconded by Councilwoman Temple which passed as follows:

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

## **PUBLIC COMMENT**

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

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

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

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code Sections § 2.2 3711 (A) (7) **Legal matters requiring the advice of counsel pertaining to previously disposed public property** seconded by Councilwoman Carey, which passed as follows:

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

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

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

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye

Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman Beverly White	aye
Councilman Deborah D. Dixon	aye
Councilwoman L. Dale Temple	aye

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**CERTIFICATION**

Councilman Saunders moved to certify the following:

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

Councilwoman Temple seconded the motion, which passed as follows:

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

**ADJOURNMENT**

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

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Samuel W. Adams, III, Mayor

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Tessie S. Wilkins, City Clerk