

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
October 18, 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, October 18, 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 Bishop Vincent Lowery, offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Deborah D. Dixon
Councilwoman Beverly White
Councilwoman L. Dale Temple
Councilwoman Carolyn S. Carey ~ (7:40 p.m. arrival)

Others present:

Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Steve B. Hall, Assistant City Manager
Lori Jarratt, Executive Secretary

Absent: Tessie S. Wilkins, City Clerk

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, September 20, 2011, City Council meeting minutes as presented, seconded by Councilwoman D. White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Deborah D. Dixon	aye

Councilwoman Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwomen Dale Temple	aye

APPROVAL OF BILLS

A listing of the October 18, 2011 bills was presented to City Council members.

General Fund	\$	932,305.35
Utility Fund	\$	140,280.36

Councilman Saunders moved to approve the October 18, 2011 bills as presented, seconded by Councilwoman Temple, which passed as follows:

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

FINANCIAL AND TAX REPORTS

Honorable W. S. Harris, Jr., City Treasurer provided City Council members with highlights of the City's financial position. There were no questions concerning his reports.

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 Councilman Saunders, which passed as follows:

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

UNFINISHED BUSINESS

11-87. Highway Safety Commission – Term Expirations

Mayor Adams stated that this item was to be continued at the November 1, 2011 City Council Regular meeting.

NEW BUSINESS

11-88. Emporia Redevelopment and Housing Authority – Unexpired Term (John Jones, Jr.)

Mayor Adams stated that John Jones, Jr. currently serves on the Emporia Redevelopment and Housing Authority (ERHA). He also stated that due to Mr. Jones relocation out of town he is no longer able to complete his four (4) year term on the ERHA. He further stated that his unexpired four (4) year term on the ERHA has an expiration date of March 1, 2015.

Mayor Adams reported that an appointment was needed for the Emporia Redevelopment & Housing Authority.

Councilman Saunders moved to nominate Mark Mitchell for appointment to the Emporia Redevelopment & Housing Authority.

Councilwoman Temple moved to appoint Mark Mitchell to serve the unexpired four year term on the Emporia Redevelopment and Housing Authority with an expiration date of March 1, 2015, seconded by Councilwoman B. White, which passed as follows:

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

11-89. Personnel Manual Update – Request to Amend Section 5.1

Mr. Thrower stated that if approved the policy would state that no employee shall be eligible for promotion “unless he/she meets the minimum qualifications for the position.” He also stated that the policy currently states that no employee shall be eligible for a promotion “prior to the completion of three (3) merit compensation increases, except for the convenience of the City and only on written recommendation of the department or division head and written approval of the City Manager.”

Mr. Thrower stated that he recommends this amendment due to the ambiguity of the current language and to link promotions to meet the minimum qualifications of the position, as is currently done. He also stated that given the economic situation our nation has faced over the last several years and will likely continue to face in the immediate future, the proposition of awarding merit increases has become less likely than in years past. He further stated that as, such tying promotions to merit increases seems impractical and overly bureaucratic.

Mr. Thrower stated that the City Attorney and all department heads had reviewed the proposed amendments to Section 5.1 and had no concerns or issues.

He recommended that Council approve the amendments to Section 5.1 of the City’s Personnel Manual.

Councilman Saunders made a motion to approve the amendments to Section 5.1 of the City’s Personnel Manual, 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 Beverly White	aye
Councilwoman Carolyn S. Carey	aye
Councilwomen Dale Temple	aye

11-90. South Main Street Improvement Project – Request to Submit Application for Continued Funding

Mr. Hall stated that the Commonwealth Transportation Board voted on June 15, 2011 to approve the City’s 2011 (Federal FY 12) Enhancement Program application in the amount of \$390,000. He also stated that the total amount requested was \$741,279. He further stated that in other words, the City received a total of 52.6% of its request. He stated that due to the amount funded in this most recent application cycle, the current sum will not support the entire completion of Phase II. He also stated that he is currently preparing the application requesting \$247,576 to complete the project. He further stated that the application is due November 1. He stated that these funds will be used for Phase II of the South Main Street Improvement Project: Streetscaping. A total of \$1,190,484 of grant funding has been awarded since 1998.

Mr. Hall stated that a resolution of the local governing body is required of all applicants. He also stated that the resolution commits the City to a twenty (20) percent match of the total project cost (\$61, 894) and indicates if the City subsequently elects to cancel the project, it will be held responsible for reimbursing VDOT for grant funds expended to date, among other language. He further stated that the City received written authorization from VDOT that

Dominion Virginia Power relocation work already completed in the amount of \$155,256.41 may be utilized as in kind match. He stated that combined with funds already budgeted and utilizing a maximum contingency line item of 15%, the City would be responsible for an additional \$29,088.28.

Mr. Hall stated that as it presently stands, the City is preparing to embark on Phase I: Utility Relocation. He also stated the Environmental Document has been approved, all relocation estimates and easements have been received and all relocation engineering have been completed. He further stated that the package of materials necessary to obtain Federal Right-of-Way (ROW) Authorization have been prepared and forwarded to VDOT. He stated that this package included the relocation estimates, the completed Environmental Document and utility relocation engineering. He also stated that a Public Forum and Public Hearing are scheduled to be held on November 1st in order to keep residents and business-owners informed as City moves towards utility relocation. He further stated that as soon as the Federal ROW Authorization has been received, utility relocation may commence.

He recommended that Council authorize submittal of the Transportation Enhancement Program grant application and approve the resolution.

Councilman Saunders made a motion to adopt **Resolution No. 11-10** VDOT Enhancement and to approve submittal of the Transportation Enhancement Program grant application, seconded by Councilwoman D. White which passed as follows:

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

11-91. FY12 Budget – Request to Hold Review Session

Mayor Adams reported that City Manager and Finance Director requested that Council conduct a budget review work session on Tuesday, November 15, 2011 at 6:30 PM in the Council Chambers.

Council approved to conduct a Budget Review Work Session on Tuesday, November 15, 2011 at 6:30 PM in the Council Chambers.

11-92. Department of Environmental Quality Grant Funds – Appropriation Ordinance

Mr. Thrower reported that the City of Emporia had been awarded a grant from the Department of Environmental Quality in the amount of \$5,000.00 for Litter Prevention and Recycling Program activities for FY12. He stated that Council will need to appropriate these funds into the current operating budget in order for the City to utilize this award.

He recommended that Council adopt the Ordinance.

Councilman Saunders made a motion to adopt **Ordinance No. 11-27** appropriating the sum of \$5,000.00 in grant funds from the Department of Environmental Quality for Litter Prevention and Recycling, seconded by Councilwoman D. White which passed as follows:

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

11-93. VML Safety Grant Funds – Appropriation Ordinance

Mr. Thrower stated that the City of Emporia had received a safety grant from VML Insurance Programs in the amount of \$4,000.00. He also stated that the City will use these funds to help pay for the installation of the customer service and reception area in the Manager's office. He further stated that the installation of this partition wall will provide needed safety for employees and facilitate a better customer service experience. He stated that in order for the City to utilize these funds for this purpose, Council must appropriate them into the FY12 operating budget.

He recommended that Council adopt the Ordinance.

Councilman Saunders made a motion to adopt **Ordinance No. 11-28** appropriating the sum of \$4,000.00 in grant funds from the Virginia Municipal League Insurance Programs for the Risk Management Safety Grant Program, seconded by Councilwoman D. White which passed as follows:

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

PUBLIC COMMENT

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

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

With there being no more 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 §2.2-3711(A) (3) **Disposition of publicly held real property regarding the former Emporia Elementary School**. Councilwoman Dixon seconded the motion, which passed as follows:

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

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

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

CERTIFICATION

Councilwoman Dixon 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 L. Dale Temple	aye
Councilwoman Beverly White	aye

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Tessie S. Wilkins, City Clerk