

**MINUTES**  
**EMPORIA CITY COUNCIL**  
**CITY OF EMPORIA MUNICIPAL BUILDING**  
**September 20, 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, September 20, 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 Carolyn S. Carey, Council Member 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

Others present:

Samuel W. Adams, III, Mayor  
C. Butler Barrett, City Attorney  
Steve B. Hall, Assistant City Manager  
Tessie S. Wilkins, City Clerk  
Joyce E. Prince, Commissioner of the Revenue  
Don Wyatt, Chief of Police  
Royal Jones, Public Works Director  
Ken Ryals, Emergency Service Coordinator

Absent: Brian S. Thrower, City Manager

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, September 6, 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 September 20, 2011 bills was presented to City Council members.

General Fund	\$	989,115.05
Utility Fund	\$	56,061.78

Councilman Saunders moved to approve the September 20, 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**

Councilman Saunders moved to approve the agenda 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

## **NEW BUSINESS**

### ***11-85. Conditional Use Permit Review – 608 Brunswick Avenue***

Mr. Hall stated that at the Council Regular Meeting held March 15, 2011, Ms. Jacqueline Alamawi was granted a conditional use permit (CUP) to operate a “Licensed Family Day Home” at 608 Brunswick Avenue, indentified as tax map number 160-3-BK C-2. He also stated that the City Code section 90-1 states “Licensed family day home means a child day care program offered in the residence of the provider or the home of any of the children in care of six through twelve children under the age of 13, exclusive of the provider’s own children and any children who reside in the home, when at least one child receives care for compensation.”

Mr. Hall reported that the Planning Commission reviewed this item at its March 8, 2011 Regular Meeting. He stated that Mr. Robert O’Hara spoke in opposition to the proposal due to the existing condition of the structure and concern for the amount of repairs necessary. He also stated that Mr. O’Hara did however state that he would not be opposed to a single-family residence with a licensed family day home if renovated to code compliance. He further stated that Ms. Jacqueline Alamawi (applicant) spoke in favor of the proposal, reiterating many of the comments stated above in her application.

Mr. Hall reported that the Planning Commission voted 4-3 to recommend approval of the request including the following conditions:

- ❖ A progress review by City Council at six and 18 months, and
- ❖ Full compliance with the Building Code and securing all necessary permits prior to opening, and
- ❖ Full compliance with Department of Social Service and state requirements for a day care with six through twelve children.

Mr. Hall stated that at Council Regular Meeting on March 15, 2011 the permit was granted with the aforementioned conditions by a vote of 6-0. He also stated that to date, very little work has occurred on-site. He further stated that per an inspection by Mr. Mike Allen on September 15, 2011, the following highlights were noted:

- The inspection letter and conditions from April 27 still apply in full
- Building permits applied for by applicant and was issued by City in June 2011
  - Have not been picked up or paid for, expire in December 2011
- A few new windows have been installed
- Some interior demo has taken place
- Grass is not being maintained on a regular basis
- Current openness of structure creates a safety concern and hazard
- Without repairs ASAP, enforcement of Property Maintenance code recommended
  - 60 days would be provided to make repairs or demolish structure
- If CUP extension is granted, at a minimum, windows shall be boarded up to prevent entry and continued deterioration due to weather elements
- Recommends NOT granting an extension of CUP

He recommended that Council approve continuing permit for 90 days with internal staff monitoring review on an ongoing basis and if progress is not sufficient, this item will return to Council for further actions.

Councilman Harris made a motion to approve the continuing permit for 90 days with internal staff monitoring on an ongoing basis and if progress is not sufficient this item will return to Council, and that the grass must be kept maintained on a regular base during those 90 days, 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

***11-86. YMCA – Request for Waiver of Fees***

Mr. Hall stated that the City has received a request from Ms. Kristin Vaughan, Executive Director of the Family YMCA of Emporia-Greenville, Inc. to waive a water tap fee in conjunction with the Y’s efforts to establish turf areas that will be suitable for play in spring and summer of 2012. He also stated that after seeking advice from a professional landscaping company, the Y has decided to amend and reseed the field area.

Councilman Saunders made a motion to approve waiving the water tap fee for the YMCA of Emporia-Greenville in conjunction with the Y’s efforts to establish turf areas that will be suitable for play in spring and summer of 2012, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	nay
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

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

Mr. Hall stated that the following individuals Reginald Harris, Edward Hollomond, Sam Brown, and Shirley Thomas are currently serving 3-year terms on the City’s Highway Safety Commission that will expire on September 30, 2011.

Mr. Hall stated that Mr. Edward Hollomond has indicated that he does not wish to be considered for reappointment. He also stated that all others have indicated that they do wish to be considered for reappointment.

Councilwoman Temple made a motion that the Highway Safety Commission appointment for Edward Hollomond term be delayed until the October 18, 2011 City Council Regular Meeting to provide additional time for consideration, seconded by Councilwoman Dixon 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

Councilwoman Temple moved to approve that Reginald Harris, Sam Brown, and Shirley Thomas be reappointed to serve another three-year term on the Highway Safety Commission, seconded by Councilwoman Dixon 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.

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

**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