

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
September 21, 2010

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 21, 2010 at 7:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Jim Saunders, President of Council presided over the meeting with Reverend Bishop 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 Carolyn S. Carey
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple
Councilman John R. White

Others present:

C. Butler Barrett, City Attorney
Brian S. Thrower, City Manger
Steven B. Hall, Assistant City Manager
Tessie S. Wilkins, City Clerk
W. S. Harris, Jr., Treasurer
Joyce E. Prince, Commissioner of the Revenue

Absent: Samuel W. Adams, III, Mayor

MINUTES APPROVAL

Councilman White moved to approve the minutes from the Tuesday, September 21, 2010 regular meeting, 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 Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye

Councilwoman L. Dale Temple aye
Councilman John R. White aye

APPROVAL OF BILLS

A listing of the September 21, 2010 bills had been presented to City Council members.

General Fund \$ 851,376.65
Utility Fund \$ 48,696.93

Councilwoman Temple moved to approve payment of the bills presented. Councilwoman Carey 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
Councilman Edward V. Lankford, IV aye
Councilwoman L. Dale Temple aye
Councilman John R. White aye

FINANCIAL AND TAX REPORT

Honorable W.S. Harris, Jr., City Treasurer provided City Council members with highlights of the City’s financial position. There were no questions regarding the 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 the report.

PERMIT AND INSPECTION REPORT

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

POLICE REPORT

Bernard Richardson, Chief of Police, provided his report to City Council members. There were no questions regarding the report.

CITY SHERIFF REPORT

Honorable Sam C. Brown, Sheriff, provided is report to City Council members. There were no questions regarding the reports.

CITY ATTORNEY REPORT

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

AGENDA APPROVAL

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

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

NEW BUSINESS

10-77. Consideration of a Rezoning Request – West Atlantic Street Neighborhood – Pine Street Area

Mr. Hall reported that the City of Emporia seeks a zoning map amendment from C-2 Commercial District to R-3 Residential District for parcels possessing frontage primarily the ones on Pine Street, bounded by Florida Avenue to the north and Wolf Street to the south. He also reported that the addresses of the ones in question are as follows: 605 West Atlantic Street, 418, 420, 422, and 704 Pine Street, 403 and 404 Delaware Street, 401 Maryland Avenue, 401 and 403 Wolf Street, 402 Florida Avenue and 406 Pennsylvania Avenue. He further reported that the parcels in question are identified as Tax Map Numbers 121-14-0-A1-A2,B, 122-9-0-4, 121-6-6BK-A-7,5A,122-9-0-3, 121-6 BK A-9A, 11A, 122-9-0-2, 121-6 BK A-13,15, 122-3-0-3A-4A,5E, 122-3-0-3B,4,5 121-6-BK A-21,23, 121-6-BK A-1,3, 121-6-BK A-1A, 3A and 122-9-0-1.

Mr. Hall stated that the purpose for the rezoning request was a direct result of the recently funded West Atlantic Street Neighborhood Revitalization project. He also stated that the Housing rehabilitation will be taking place at numerous homes within this area. He further stated that if approved, general usage of the parcels will be medium-density residential and existing non-conforming uses will become in conformity.

Mr. Hall reported that the surrounding land uses are primarily residential with a commercial strip along West Atlantic Street beyond the rear lot line. He also reported that an adult day care facility is adjacent to the rezoning area.

Mr. Hall stated that this area possessing existing lots and residential dwellings has the appropriate ingress/egress.

Mr. Hall reported that he received one comment on August 24 from Ms. Judis Jarratt, PO Box 107, Emporia (also the owner of a lot within the proposed rezoning area). He also reported that Ms. Jarratt had noticed the public advertisement in the Independent Messenger. He further reported that a letter with information pertaining to the rezoning was mailed to Ms. Jarratt that same day. He stated that Ms. Jarratt had expressed no issue with the proposal but did question why this area was zone C-2 Commercial to begin with.

Mr. Hall recommended Council to approve the rezoning request.

Councilman White made a motion to approve the rezoning request for the West Atlantic Street Neighborhood – Pine Street area, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

10-78. Virginia Department of Fire Programs Grant Funds – Appropriation Ordinance

Mr. Thrower reported that the City had been notified by the Virginia Department of Fire Programs that it was awarded a grant of up to \$5,000.00 for the repair of City burn building. He also reported that the grant is for the acquisition of a replacement Temperature Monitoring System to be installed at the burn building. He further reported that in order for the City to utilize these grant funds, Council will need to appropriate the funds into City current operating budget.

Mr. Thrower recommended that Council adopt Ordinance No. 10-39 to appropriate the Sum of \$5,000.00 in Grant Funds from The Virginia Department of Fire Programs for Repair of the Burn Building.

Councilwoman Temple made a motion to adopt **Ordinance No. 10-39** to appropriating the Sum of \$5,000.00 in Grant Funds to the Virginia Department of Fire Programs for Repair of the Burn Building, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

10-79. Virginia Department of Fire Programs Grant Funds – Appropriation Ordinance

Mr. Thrower reported that the City had been notified by the Virginia Department of Fire Programs that it was awarded a grant of up to \$32,000.00 for the renovation of City burn building. He also reported that the grant is for the acquisition of a Forcible Entry Simulator, Sprinkler Simulator and a Concrete Apron to be installed at the burn building. He further reported that the City needed to utilize these grant funds, City will need to appropriate the funds into City current operating budget.

Mr. Thrower recommended that Council adopt Ordinance No. 10-40 to appropriate the sum of \$32,500.00 in Grant Funds from The Virginia Department of Fire Programs for Renovation of the Burn Building.

Councilwoman Temple made a motion to adopt **Ordinance No. 10-40** to appropriating the Sum of \$32,500.00 in Grant Funds the Virginia Department of Fire Programs for Renovation of the Burn Building, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

10-80. Boards and Commission – Various Term Expirations

Mr. Thrower advised that the City of Emporia has several members on its Boards and Commissions whose terms will expire soon, which were as follows:

Highway Safety Commission – On September 30, 2010 Ruth Bullock’s (3) three year term on the Highway Safety Commission will expire. Mrs. Bullock has indicated that she does not wish to be considered for reappointment.

Highway Safety Commission – On September 30, 2010 Mr. Jim Saunders’ (3) three year term on the Highway Safety Commission will expire. Mr. Saunders has indicated that he wishes to be considered for reappointment.

City School Board – On December 31, 2010 both Mrs. Denise Parker and Ms. Marguerite K. Burton’s four (4) year terms on the City School Board will expire. A public hearing notice will be published in the local newspaper indicating that public hearing would be conducted on December 7, 2010 concerning this matter. Mrs. Parker and Ms. Burton’s have indicated that they wish to be considered for reappointment.

Greensville County School Board – On December 31, 2010 Ms. Marguerite K. Burton’s (4) four year term on the Greensville County School Board will expire. . A public hearing notice will be published in the local newspaper indicating a public hearing to be conducted on December 7, 2010 concerning this matter. Ms. Burton has indicated that she does wish to be considered for reappointment.

Councilman White made a motion that the Highway Safety Commission appointment for Ruth Bullock term be delayed until the October 19, 2010 City Council Regular Meeting to provide additional time for consideration, seconded by Councilman Harris which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye

Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

Councilman White moved to approve that Councilman Saunders be reappointed to serve another three-year term on the Highway Safety Commission, seconded by Councilman Harris which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

PUBLIC COMMENT

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

Councilman Saunders congratulated Steven Hall, Assistant City Manger, Brian Thrower, City Manger, and staff for working on the two and half million dollars West Atlantic Street Neighborhood – Pine Street Area project to improve that area for quality of life for the Citizens.

Marva Dunn, 505-D Washington St, addressed Council stating that she would like to thank Steven Hall, Assistant City Manger, and other City officials who were out on June 28, 2010 cleaning up the areas of West Atlantic Street.

Councilman Saunders recognized that Robert L. Henderson, Director of the Greensville/Emporia Department of Social Services was in attendance at tonight council meeting.

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

*****Closed Session*****

Councilman White move that Closed Session be entered for the purpose of discussing **Virginia Code §2.23711(A) (3) Acquisition of land for a public purpose**. Councilman Lankford seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

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

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

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

President Saunders made the motion authorizing the City Manager to acquire the Greenville County Elementary School property located on Main Street from Greenville County contingent upon Greenville County providing a plat and landscaping easement deemed sufficient by the City Manger and City Attorney; seconded by Councilman Harris which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye
Councilman John R. White	aye

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.

Councilman Lankford seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

ADJOURNMENT

With no further business to come before City Council, President Saunders adjourned the meeting.

James C. Saunders, President of
Council

Tessie S. Wilkins, City Clerk