

PUBLIC HEARING

1. **Street Closure – Portion of Franklin Street**
 2. **Greensville Memorial Foundation Rezoning Request – 214 Weaver Avenue**
 3. **Refinancing of the City’s Rural Development Loans**
-

Emporia City Council held three (3) Public Hearing on Tuesday, April 15, 2008, at 7:30 p.m. in the Council Chambers of the Municipal Building located at 201 South Main Street, Emporia, Virginia. Mayor Adams presided over the hearings.

The following City Council members were present:

Councilwoman Nancy B. Squire	Councilman John R. White
Councilman Woodrow Harris	Councilman James C. Saunders
Councilwoman Doris T. White	Councilwoman Carolyn S. Carey
Councilman Ned V. Lankford	

Others present: Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Sam Brown, City Sheriff
Joyce E. Prince, Commissioner of the Revenue
Bernard Richardson, Chief of Police
William S. Harris, Treasurer
Brian S. Thrower, City Manger
Jean V. Whiting, City Clerk

Public Hearing #1 – Street Closure ~ Portion of Franklin Street

Mr. Thrower reported that, on March 18, 2008, City Council members authorized the City’s Administration to advertise a public hearing and appoint viewers concerning a request by Mr. William C. Slate, III to vacate a portion of the Franklin Street right-of-way, located between Southampton Street and Park Avenue. He also reported that, on Wednesday, April 2, 2008, Mr. Kreinbaum, Mr. Bush, and Reverend Bailey met to discuss the proposed vacation. He further reported that the viewers unanimously voted to recommend that City Council approve the right-of-way vacation as requested.

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

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

Public Hearing #2 – Greensville Memorial Foundation Rezoning Request ~ 214 Weaver Avenue

Mr. Thrower reported that the Greensville Memorial Foundation requested that a portion of 214 Weaver Avenue be rezoned from a R-3 Residential District to a C-1 Commercial District, in an effort to construct a new YMCA facility. He also reported that, according to the City’s zoning regulations, the YMCA is classified as a “recreational facility” and is only allowed in commercial districts. He further reported that a portion of the former Greensville Memorial Hospital had been demolished in an effort to provide space for the new facility.

He stated that the Planning Commission voted unanimously to recommend approval of the request on

April 8, 2008. He also stated that that staff does not anticipate adverse impacts from the rezoning request and recommends approval of the request. He further stated that he is a current member of the YMCA's Board of Directors.

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

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

Public Hearing #3 – Refinancing of the City's Rural Development Loans

Mr. Thrower reported that, on March 18, 2008, City Council members authorized staff, in conjunction with Davenport and Company, LLC, to proceed with holding a public hearing on the proposed issuance of general obligation bonds and principal amount not to exceed four million dollars (\$4M). He also reported that the proceeds of the bonds would be used to refund the City's 1994 and 1996 Rural Development Loans and the 2006 Bank of Southside Note. He further reported that the proposed refinancing would shorten the term of the City's existing debt by approximately four (4) years and result in net savings of over five hundred thousand dollars (\$500,000.00).

He also stated that City staff recommends approval of the proposed bond restructuring.

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

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

Samuel W. Adams, III, Mayor

Jean V. Whiting, City Clerk

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
APRIL 15, 2007**

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.

INVOCATION

Emporia City Council held a Regular Meeting on Tuesday, April 15, 2007, at 7:30 p.m. in the Council Chambers of the Municipal Building. Mayor Adams presided over the meeting with Council President Nancy B. Squire offering the invocation.

ROLL CALL

Upon roll call, the following City Council members indicated their presence:

Councilwoman Nancy B. Squire
Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilman Ned V. Lankford

Others present: C. Butler Barrett, City Attorney
Sam Brown, Sheriff
William S. Harris, Treasurer
Joyce E. Prince, Commissioner of the Revenue
Bernard Richardson, Chief of Police
Brian S. Thrower, Assistant City Manger
Gerald D. Vincent, City Manager
Jean V. Whiting, City Clerk

MINUTES APPROVAL

The minutes of the April 1, 2008 City Council Meeting were distributed to City Council members. Councilman White moved to approve the minutes as presented. Councilman Saunders seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

APPROVAL OF BILLS

A listing of the April 15, 2008 bills had been presented to City Council members.

General Fund	\$821,181.74
Utility Fund	\$ 81,572.85

Councilman Saunders moved to approve payment of the bills as presented. Councilman White seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	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 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 his report to City Council members. There were no questions regarding the report.

CITY ATTORNEY REPORT

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

AGENDA APPROVAL

Mr. Thrower requested that the Agenda be amended to include the addition of items **08-37. Business License Interest and Penalty Fee Waiver Request – Animal Hospital of Emporia, 08-38. EDDA FY09 Budget Request – Hannah Barrett, EDDA Chair** and Closed Session pursuant to **Virginia Code § 2.2-3711(A) (7) Legal Matter.**

Councilman Lankford moved to approve the Agenda as amended. Councilwoman Squire seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

UNFINISHED BUSINESS

NEW BUSINESS

08-31. Street Closure – Portion of Franklin Street

Mayor Adams stated that a public hearing had been held earlier that day concerning the request to vacate a portion of Franklin Street. He also stated that the synopsis of the viewers and of the City's Administration had been provided during the public hearing.

Councilman White moved to approve the vacation request as presented, with direction to the City's attorney to prepare a deed accordingly. Councilman Lankford seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-32. Greensville Memorial Foundation Rezoning Request – 214 Weaver Avenue

Mayor Adams stated that a public hearing had been held earlier that day concerning the rezoning request by Greensville Memorial Foundation that a portion of 214 Weaver Avenue be rezoned from R-3 Residential District to C-1 Commercial District in an effort to construct a new YMCA facility.

Councilman Lankford moved to approve that the rezoning request be approved as presented. Councilman Saunders seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-33. Rezoning Application Fee Waiver Request – Greenville Memorial Foundation

Mr. Thrower reported that Jill Slate, Executive Director of the Greenville Memorial Foundation, submitted a request to the City’s Administration to waive the Foundation’s three hundred dollar (\$300.00) rezoning application fee relative to the construction of a new YMCA facility.

Councilman Harris moved to approve that the rezoning application fee be waived as requested. Councilman White seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-34. Refinancing of the City’s Rural Development Loans

Mayor Adams stated that a public hearing had been held earlier that day concerning the proposed issuance of general obligation bonds and principal amount not to exceed four million dollars (\$4M). He also stated that no comments had been received concerning the matter.

Councilwoman Squire moved to approve that the City’s Rural Development Loans be refinanced as presented. Councilman White seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-35. 2008 VML Policy Committee Nominations

Mayor Adams reported that annual nominations to VML’s Policy Committees had been requested. He also reported the addition of a new Community & Economic Development Committee and asked City Council members for their respective nominations.

Councilman White moved to nominate the following individuals to respective VML’s Policy Committees as follows:

Community & Economic Development

Councilman F. Woodrow Harris

Environmental Quality

Councilwoman Doris T. White

Finance Committee

Mr. Brian S. Thrower

General Laws

Councilwoman Nancy B. Squire

Human Development & Education

Councilwoman Carolyn S. Carey

Transportation

Councilman Edward “Ned” Lankford, IV

Councilman Lankford seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-36. Boys and Girls Club Presentation – Stacy Gray, Executive Director

Ms. Stacy Gray, Executive Director of the Emporia Boys and Girls Club, provided City Council members with a brief presentation of events and activities currently taking place within the Boys and Girls Club. She also provided an overview of the content of the Harris Study, done with one thousand fourteen (1,014) alumni over a one (1) year period, consisting of, but not limited to, the following details:

State Statistics

- Fifty-seven percent (57%) indicated that the Boys and Girls Club saved their lives
- Ninety percent (90%) graduated high school
- Seventy-five percent (75%) actively involved within communities as a result of the Boys and Girls Club
- Twenty-six (26) organizations

- One hundred six (106) sites
- Thirty-nine thousand six hundred thirty-six (39,636) registered members
- Two (2) Club sites within Emporia, VA (Elementary School & Armory)

Local Statistics

- Two (2) site locations
- One hundred fifteen (115) daily active members (average for both sites)
- Elementary School serves approximately seventy-five (75) students daily
- Armory serves approximately forty (40) students daily
- One hundred eight (108) male students
- One hundred three (103) females

Ms. Shona Washington, the Club’s current Youth of the Year winner, provided City Council members with brief descriptions of how the Boys and Girls Club helped her surpass some of her life’s challenges and develop into a positive role model for younger Club members.

08-37. Business License Interest and Penalty Fee Waiver Request – Animal Hospital of Emporia

Mr. Thrower reported that Dr. Tom Grenell, of the Animal Hospital of Emporia, submitted a request to the City of Emporia to waive interest and late fee penalties associated with delinquent filing of his business license application. He also reported that the associated late fees and interest total two hundred seventy-eight dollars (\$278.00). He further reported that Dr. Grenell stated that the Animal Hospital had undercharged the City of Emporia for euthanization of animals by approximately six hundred sixty-eight dollars (\$668.00) within the last year.

Councilman Harris moved that the City of Emporia authorize payment of two hundred seventy-eight dollars to the Animal Hospital of Emporia in lieu of the euthanization services provided to the City at a reduced rate. Councilwoman Squire seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

08-38. EDDA FY09 Budget Request – Hannah Barrett, EDDA Chair

Ms. Hannah Barrett stated that a vintage street sign proposal had been initiated approximately three (3) years prior and had been reduced to four (4) signs in an effort to accommodate a limited budget and the amount of logistics required to implement changes. She also stated that locations of the proposed new signs were as follows:

- Halifax and Atlantic Streets
- Halifax and Baker Streets
- Halifax and Valley Streets
- Halifax Street and Virginia Avenue

She further stated that two (2) of the locations (Baker and Valley Streets) would be equipped with stop signs.

She reported that an octagon-shaped gazebo, to be erected between the southern entrance of the Chamber of Commerce and the historic marker, was also being requested. She also reported that a foundation would be erected to satisfy space for decorative urns near the gazebo's entry. She further reported that the gazebo would be utilized by the Chamber of Commerce and their potential tourists.

Mr. Thrower stated that City funds to external organizations, not expended, are placed back into the City's General Fund Balance. He also stated that, if approved by City Council members, funding would come from the City's General Fund Balance to satisfy the request.

Ms. Barrett requested that fifteen thousand eight hundred dollars (\$15,800.00) be appropriated from the City's FY 05-06 budget that was made to the Emporia Downtown Development Association (EDDA), in an effort to accomplish the EDDA's referenced objectives.

Councilman Harris asked Ms. Barrett if a budget request would be forthcoming to the City for FY09.

Ms. Barrett advised Councilman that a budget request would be presented to the City for FY09.

Councilman Harris asked Ms. Barrett to provide the current year's allocation amount and asked if all funds had been expended.

Ms. Barrett advised Councilman Harris that the current year's allocation is ten thousand dollars (\$10,000.00) and that approximately six thousand eight hundred dollars (\$6,800.00) was remaining.

Councilman Harris asked Ms. Barrett if there were plans to expend the remaining balance.

Ms. Barrett advised Councilman Harris that there were plans to expend the remaining funds.

Councilwoman Squire moved to approve the expenditure of funding from the City's General Fund Balance in the amount of fifteen thousand eight hundred dollars (\$15,800.00) as requested.

Councilman Saunders made a substitute motion to approve that funding be budgeted in the City's FY08-09 budget concerning the matter, avoiding an expenditure from the City's General Fund Balance. Councilman Harris seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
Councilman John R. White	nay
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	nay
Councilwoman Carolyn S. Carey	aye
Councilman Ned V. Lankford	nay

PUBLIC COMMENT

Mayor Adams asked if there was anyone who wished to bring a matter before City Council members adhering to the 3-minutes per person speaking limitation.

Mr. Ricky Johnson of 100 North Street, Emporia, Virginia stated that he had been informed that the

refuse bin, at his mother residence, had to be moved approximately two hundred feet (200ft.) down to Reese Street to be dumped due to the lack of turn-around space for the City's refuse truck. He requested that the City's sanitation workers return the emptied refuse bin closer to the front of the residence after dumping.

Mr. Thrower stated that Mr. Johnson's mother resides on an undeveloped right-of-way and is situated down a dirt path and that the City's refuse truck is unable to maneuver on the dirt path as required. He further stated that the City's Code concerning the matter indicates that such residents are required to make refuse pick up accessible to the Public Works Department.

He reported that he previously visited the site and discussed the matter with Mr. Royal Jones, Director of the City's Public Works Department. He also reported that the case involves staff being required walk down the path to pick up the refuse bin and returning it as well. He further reported that his concern is that once it is done for one such case, it will be required for all such cases.

Mayor Adams advised Mr. Johnson that the matter would be research further and that Mr. Thrower would contact him concerning the matter.

With there being no further comments to come before City Council, Mayor Adams entered a motion to enter into Closed Session.

*****CLOSED SESSION*****

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code §§ 2.2-3711 (A) (5) **Industrial Matter** and (7) **Legal Matter**. Councilman White seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

*****REGULAR SESSION*****

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

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

CERTIFICATION

Councilman Harris 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 matters as were identified in the motion by which the Closed Session was convened were heard, discussed, or considered by City Council.

Councilman White seconded the motion, which passed as follows:

Councilwoman Nancy B. Squire	aye
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 Ned V. Lankford	aye

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Jean V. Whiting, City Clerk