

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
JULY 15, 2008**

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, July 15, 2008, 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 (7:38 p.m. arrival)
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Carolyn S. Carey

Others present: Steven B. Hall, Assistant City Manager
Bernard Richardson, Chief of Police
Brian S. Thrower, City Manger
Jean V. Whiting, City Clerk

Absent: C. Butler Barrett, City Attorney
Councilwoman Doris T. White
Councilman Ned V. Lankford
Joyce E. Prince, Commissioner of the Revenue

MINUTES APPROVAL

The minutes of the June 17, 2008 City Council Public Hearings and Regular Meeting were distributed to City Council members. Councilman Saunders moved to approve the minutes as presented. 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 Carolyn S. Carey	aye

APPROVAL OF BILLS

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

General Fund	\$800,617.42
Utility Fund	\$156,034.07

Councilman Saunders moved to approve payment of the bills as presented. Councilwoman Carey 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 Carolyn S. Carey	aye

FINANCIAL AND TAX REPORT

Honorable W.S. Harris, Jr., City Treasurer, provided City Council members with highlights of the City's financial position. He requested that City Council members authorize the treasurer to submit a listing of all delinquent taxes, as of July 1st, to the local newspaper for publishing in accordance with § 58.1-3924 of the Code of Virginia. He also requested that the treasurer be authorized to omit individual names from the delinquent taxes listing, prior to submission to the local newspaper, if respective delinquencies have been satisfied.

Councilman Harris moved to approve that the delinquent taxes listing be published once in the local newspaper with the provision that individuals satisfying respective tax obligations, prior to submission to a local newspaper, be stricken from the listing by the treasurer. 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 Carolyn S. Carey	aye

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.

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

Mayor Adams reported that the Agenda had been amended to include item ***08-63 Meherrin Regional Library Request***

Councilman White 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 Carolyn S. Carey	aye

UNFINISHED BUSINESS

NEW BUSINESS

Special Recognition – Retirement Resolution for Stephen L. Richardson

Mayor Adams stated that Mr. Stephen L. Richardson would be retiring from the City of Emporia and asked City Council members to approve the following resolution honoring Mr. Richardson for his years of service to the City:

Resolution No. 08-06

A Resolution Honoring Stephen L. Richardson For Service to the City of Emporia

Whereas, Stephen L. Richardson began his public service career with the City of Emporia on July 17, 2000; and

Whereas, Stephen L. Richardson began his career with the City of Emporia as a temporary grass cutter and was hired as a full-time sanitation worker in the Public Works Department on December 27, 2000; and

Whereas, on May 1, 2001, Stephen L. Richardson received a Tier I promotion as a result of participating in a special incentive program and was promoted as a sanitation equipment operator on November 27, 2001; and

Whereas, after eight years of dedicated service, he has decided to retire and will be greatly missed.

Now, Therefore, Be it Resolved, by the Council of the City of Emporia, Virginia that Stephen L. Richardson is hereby recognized and commended for his outstanding years of service to the City of Emporia and that City Council hereby expresses its deepest appreciation and esteem to him for his dedication and hard work.

Be it Further Resolved, that the Council of the City of Emporia, Virginia extends to Stephen L. Richardson its best wishes for his future endeavors this 15th day of July, 2008.

Councilman Harris moved to approve the resolution as presented. 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 Carolyn S. Carey	aye

08-60. District 19 Community Services Board – Performance Contract

Mr. Thrower advised City Council members that, in accordance with Code § 37.2-508 of the Code of Virginia, the 2009 District 19 Community Services Board Performance Contract was in need of review and approval by City Council members. He also advised City Council members that no changes had been made to the contract from the previous year.

Councilwoman Squire moved to approve the 2009 District 19 Community Services Board Performance Contract as presented. Councilman Harris 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 Carolyn S. Carey	aye

08-61. Davis Street Streetlight – Request from Council Member John White

Mr. Thrower stated that, during the February 19, 2008 City Council meeting, City Council members authorized him to submit an application totaling \$1,080.00 to Norfolk-Southern concerning the installation of a streetlight on Davis Street, per request from Councilman White. He also stated that the application was in reference to an easement that needed to be reviewed, and subsequently approved, by Norfolk-Southern prior to installation by Mecklenburg Electric. He further stated that, since that time, Mr. Royal Jones, Public Works Director for the City of Emporia, conversed with Mr. David Rawlings, of Mecklenburg Electric, concerning a more cost-effective alternative to installing the streetlight.

He reported that the proposed cost-effective alternative discussed between Mr. Jones and Mr. Rawlings would eliminate the need for acquisition of an easement from Norfolk-Southern, which consists of an estimated \$11,000.00 one time fee and an annual reoccurring fee of \$500.00. He also reported that new construction, estimated at \$2,274.98, included a second streetlight at the corner of the ramp leading off Route 58. He further reported that, if approved by City Council members, the construction of the streetlights would be funded by the Public Works Department’s “Streetlight Upgrade/Improvement” line item.

He advised City Council members that he recommended approval of funding the streetlights construction, per the estimated total, and authorization for the city manager to take necessary action to proceed with implementation of the project.

Councilman White moved to approve funding for the streetlights as presented and authorization of the city manager to take necessary action in proceeding with implementation of the project as presented.

Councilwoman Nancy B. Squire	aye
Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Carolyn S. Carey	aye

08-62. Presentation from Ms. Rosalyn Andrews, Executive Director of the Southside Area Chapter American Red Cross

Ms. Andrews, Executive Director of the Southside Area Chapter of the American Red Cross, provided City Council members with a brief overview of services offered by the Chapter for the City of Emporia and the following localities:

- Brunswick County
- City of Colonial Heights
- City of Petersburg
- Cumberland County
- Dinwiddie County
- Greensville County
- Lunenburg County
- Mecklenburg County
- Nottoway County
- Prince Edward County
- Sussex County

She stated that the Chapter's coverage areas consisted of over 4,000 square miles and approximately 10 percent of the state of Virginia. She also stated that she wished to request funding from the City of Emporia to the Southside Area Chapter of the American Red Cross in the amount of \$5,000.00. She further stated that the previous year had been the most financially challenging for the Chapter and that, as part of the funding process, service localities were being targeted for assistance.

She reported that the American Red Cross has been in the area for approximately ninety-one years and has never previously requested such funding from localities. She also reported the following facts concerning services provided to the City of Emporia by the Chapter over the last 4 years:

- Over one hundred three individuals served
- Over \$21,000.00 spent
- Provided approximately \$8,500.00 in FY08 for community services

Ms. Andrews stated that the Cameron Foundation provided the Chapter with a generous donation allowing the development of a strategic plan, organizational assessments, and a business and operation plan.

She also stated that, as a result, the Chapter has a solid foundation and is better equipped to proceed with future funding needs.

Councilman Saunders asked Ms. Andrews if funding submitted to the American Red Cross is sent back to respective localities.

Ms. Andrews advised Councilman Saunders that funding submitted to the National Red Cross does not get rerouted to the Southside Area Chapter. She also advised him that funding submitted to Washington, DC is used to fund disasters throughout the United States. She further advised him that funding submitted with the intention of having it used in a particular service area needs to be submitted to the chapter servicing that particular locality.

Councilman Saunders asked Ms. Andrews if educational training could be included in the funding from the Cameron Foundation in an effort to educate citizens on how funding flows through the organization.

Ms. Andrews advised Councilman Saunders that funding received from the Cameron Foundation included a marketing position plan that will provide education on the organization, its services, and the areas it services. She also advised him that the Southside Area Chapter receives no funding from the National Red Cross or the Federal Government.

Councilman Saunders asked Ms. Andrews if all localities had been approached for funding and, if so, were in the requests in a percentage basis, based upon money being put back into respective communities.

Ms. Andrews advised Councilman Saunders that funding was requested based on activities over a 4 year period. She also advised him that, based on the 4 year period, an average is figured and is then reduced, due to individuals not being accustomed to giving to the Southside Area Chapter of the American Red Cross.

Mayor Adams asked Ms. Andrews if other localities had provided funding as requested.

Ms. Andrews advised Mayor Adams that approximately fifty percent had responded favorably and fifty percent had not included funding as a budget item for the current year.

Mayor Adams asked Ms. Andrews if localities that did not respond favorably would be reproached.

Ms. Andrews advised Mayor Adams that such localities would most likely be approached next year due to finalization of budget allocations.

Councilman Harris asked Ms. Andrews if the Greenville Memorial Foundation had been approached for funding.

Ms. Andrews advised Councilman Harris that, during the month of November, the Greenville Memorial Foundation was approached and funding was provided. She also advised him that the Greenville Memorial Foundation does not provide funding for operational expenses.

Councilwoman Squire asked Ms. Andrews if funding, generated from drives, had been reduced.

Ms. Andrews advised Councilwoman Squire that funding donations for the current year had been extremely low. She also advised her that a large portion of funding received at the Southside Area Chapter indicated that it was to be utilized for such disasters as the tornados in Suffolk. She further advised her that, as a result of such indication, the Southside Area Chapter could not maintain the funding and it had to be submitted to the National Red Cross.

She stated that most individuals do not recognize that there is a local American Red Cross chapter and a national chapter. She also stated that it was important that donors state the respective chapter name of the American Red Cross that he or she wished to have his or her donation allocated to. She further stated that funding for the Southside Area Chapter of the American Red Cross should reflect the Chapter's name or a notation that it is for the Petersburg, Virginia chapter when submitted.

Councilman Harris moved to refer the matter to budget deliberations for FY10 with a notation that Ms. Andrews was first to request funding from the City of Emporia. Councilwoman Carey 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 Carolyn S. Carey	aye

08-63. Meherrin Regional Library Request

Councilman Saunders moved to approve that City Council requests a copy of the Meherrin Regional Library's meeting minutes stemming from their last meeting, which took place on or about Wednesday of the previous week, and that each City Council members be provided a copy. 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 Carolyn S. Carey	aye

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.

Ms Ella Seaborne of District 5 in Emporia, Virginia stated that she was concerned about debris being burned in the yard of the former textile building, located off Reese Street within the City. She also stated that the blue plastic around the fence area of the building constantly gets blown off during storms and is, "so tacky" in the heart of Emporia. She further stated that it seemed that such operations would be better suited for the Industrial Park.

She requested that someone investigate the matter and have the owner do something else about the appearance of the plastic being tied to the fencing for privacy.

Councilman White stated that he and the city manager visited the area several days prior and that the building inspector had contacted the owners concerning the property.

Mr. Thrower stated that he and Councilman White had been in contact with the owner of the property and that temporary arrangements had been made concerning the matter and that staff would following-up on the matter. He also stated that the blue tarps would not be a permanent fixture for the facility.

Ms. McBeth of Ellice Street, Emporia, Virginia stated that she wished to inform City Council members that Mr. Robinson had not contacted her concerning the water situation involving the Dollar General store. She also stated that, during the June 10, 2008 meeting, Mr. Robinson stated that he would contact her prior to July 17, 2008. She also stated that, at the June 17, 2008 meeting, Mr. Robinson stated that he would contact her in 2 weeks and that he did not contacted her at that time either.

Mayor Adams asked Mr. Stephen Hall, Zoning Administrator, to email Mr. Robinson the following day concerning the matter.

Ms. McBeth stated that she would like to see the property built up. She also stated that, if the top portion of the hill is paved, water will run more quickly onto her property.

Mayor Adams advised Ms. McBeth that drop inlets would more than likely catch the water before it runs onto her property.

Mr. Thrower advised Ms. McBeth that the plans for the property must include a formal drainage plan and an erosion and sediment control plan that would address all of her concerns.

Ms. McBeth advised City Council members that she did not wish for them to rely or depend on Mr. Robinson to contact her as failed to do so the last 2 instances as he indicated he would.

Mr. Marvin Bailey of 206 South Hampton Street, Emporia, Virginia stated that he was concerned with the constant noise stemming from train whistles. He asked City Council members what could be done concerning the matter.

Mr. Thrower advised Mr. Bailey that he contacted Congressman Randy Forbes's office, several months prior, and that paperwork had been resubmitted concerning the matter and that staff was awaiting a response from the Federal Railroad Administration.

Mayor Adams advised Mr. Bailey that the matter would not be resolved quickly and that, by it being handled through Congressman Forbes' office, it would probably be addressed more quickly. He also advised him that new federal regulations have been to blame for more frequent whistle blowing from trains coming through the City of Emporia.

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

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

Councilwoman Squire moved that Closed Session be entered for the purpose of discussing Virginia Code §§ 2.2-3711 (A) (3) **Disposition of Publicly Held Real Property** and (7) **Legal Matter**. 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 Carolyn S. Carey	aye

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

Councilwoman Carey moved that the meeting be returned to Regular Session. Councilman Harris 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 Carolyn S. Carey	aye

CERTIFICATION

Councilman White 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 Harris 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 Carolyn S. Carey	aye

Councilman Harris moved to approve that the city manager be authorized to execute a deed agreement to jointly acquire the Improvement Association's property, also referred to as Tax Map #162-4-BK D-1-5, 5A, with Greensville County, with the City of Emporia's portion of the acquisition not to exceed \$15,000.00.

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 Carolyn S. Carey	aye

Councilman Saunders moved to approve that the city manager be authorized to list the proposed Park Avenue CSX railroad crossing closure as a public hearing agenda item at a future City Council meeting.

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 Carolyn S. Carey	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