

PUBLIC HEARINGS

- 1. Proposed FY10 General and Utility Fund Budgets**
 - 2. Zoning and Building Permit Fee Schedule Updates**
 - 3. Zoning and Subdivision Code Updates**
 - 4. Floodplain Ordinance Updates**
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Emporia City Council held 4 public hearings on Tuesday, June 2, 2009, 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 public hearings.

The following City Council members were present:

Councilman John R. White	Councilman Woodrow Harris
Councilman James C. Saunders	Councilwoman Doris T. White
Councilman Ned V. Lankford	Councilwoman L. Dale Temple

Others present: Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Steve B. Hall, Assistant City Manager
Brian S. Thrower, City Manger
Jean V. Whiting, City Clerk

Absent: Councilwoman Carolyn S. Carey

1. Proposed FY10 General and Utility Fund Budgets

Mr. Thrower reported that the city's FY10 budget was largely impacted by the Southside Regional Jail operations, which reflected an impact of \$407,714. He also reported that the loss of revenues from Prince William County and Dinwiddie County inmates, combined with the Southside Regional Jail's required payment of \$98,685 to the Commonwealth, as part of the reduction of aid to localities, equated \$845,810 in loss revenue/increased jail costs.

He stated that Southside Regional Jail Administration was working diligently to replace the loss revenue sources with other contracts. He also stated that the overall proposed budget reflected \$15,812,629 with departmental/organizational requests reflecting \$17,017,177. He further stated that the proposed Utility Fund reflected \$2,743,700, with requests totaling \$2,881,017.

Mr. Thrower reported that during the budget work sessions, review of the proposed budgets was discussed. He also reported that, at the conclusion of the final budget work session, City Council members proposed a total General Fund Budget of \$15,804,402 and a Utility Fund Budget of \$2,768,700.

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

Ms. Karen Cameron, Executive Director/CEO of the Central Virginia Health Planning Agency provided City Council members with an overview of services provided to city residents and requested that City Council members include \$600 in funding for her agency.

Mr. Bruce Campbell of Emporianews.com asked if Southside Regional Jail was able to retract employees.

Mayor Adams advised Mr. Campbell that no large volume of employees would be loss. He also advised him that the jail is near capacity at all times and that all regional jails throughout the Commonwealth of Virginia were facing the same dilemma. He further advised him that efforts were being made to make the local facility available to others outside the state of Virginia.

Mr. Campbell asked if the proposed 3.5 percent water and sewer increase reflected a combined increase or an individual increase.

Mr. Thrower reported that the 3.5 percent proposal was presented independently.

Mr. Campbell asked if new equipment was being purchase for the Sanitation Department or if new employees were being hired. He stated that a monthly increase of approximately \$4.50 was reflected in the proposed budget.

Mr. Thrower advised Mr. Campbell that, based on research involving other localities, Emporia's fees were below the state's average and that present fees did not cover service costs. He also advised him that no new employees were being hired to the department.

Mr. Campbell asked if consideration of declining home values was given when proposing the 5 cents real estate tax increase.

Mayor Adams advised Mr. Campbell that consideration was given to the matter and that such figures would lag due to reassessments.

Mr. Timothy Purier, Executive Director for the Coalition for Emporia's Delayed Parenthood, expressed gratitude to City Council members for their support of the program and provided a synopsis of the services it provides to local youth.

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

2. Zoning and Building Permit Fee Schedule Updates

Mr. Hall reported that, based on comparative analysis results, Emporia's zoning and building permit fees are substantially lower than those of adjacent localities. He also reported that City Council members had been provided copies of the proposed fees increases with supporting documentation supported by him and Mr. Randy Pearce, the city's building/fire official.

Mr. Charlie Grigg of 637 South Main Street advised City Council members of his displeasure with the

proposed communication tower fee increase. He stated that, upon researching various surrounding counties, the proposed \$2,000 co-location fee appeared to be unjust. He asked City Council member to elaborate on the justification for the increase.

Mr. Hall advised Mr. Grigg that his analysis of adjacent localities reflected that the proposed fee was consistent with their fees and that, while the timing of the increase may not be the best, he strongly stands behind the proposed fee increase.

Mr. Grigg requested that City Council members consider allowing communication tower fees to remain the same as all other fees. He advised them that the city's proposed sign fees reflected an excessive 1,000 percent increase of \$200 for administrative cost associated with the issuance of a sign permit.

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

3. Zoning and Subdivision Code Updates

Mr. Hall reported that, due to outdated provisions contained in Emporia's Code of Ordinances, he recommended numerous updates to sections concerning zoning and subdivisions. He also reported that the proposed updates had been distributed to City Council members and provided clarification to ambiguous provisions, addressed gaps in regulations, and assisted in overall oversight of the respective articles.

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

4. Zoning and Subdivision Code Updates

Mr. Hall reported that, effective July 2, 2009 updates to the city's flood insurance rate map would take effect. He also reported that, as a result, Emporia was required to update its local floodplain ordinance to comply with federal requirements. He further reported that respective updates had been provided to City Council members for review and consideration.

With there being no comments to come before City Council concerning the matter, 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
June 2, 2009**

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, June 2, 2009, 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 Councilman James C. Saunders offering the invocation.

ROLL CALL

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

Councilman John R. White
Councilman F. Woodrow Harris
Councilman James C. Saunders
Councilwoman Doris T. White
Councilman Ned V. Lankford
Councilwoman L. Dale Temple

Others present: Samuel W. Adams, III, Mayor
C. Butler Barrett, City Attorney
Steve B. Hall, Assistant City Manager
Brian S. Thrower, City Manger
Jean V. Whiting, City Clerk

Absent: Councilwoman Carolyn S. Carey

MINUTES APPROVAL

The minutes of the May 5, 2009 Regular Meeting were distributed to City Council members.

Councilman Saunders moved to approve the minutes as presented. Councilwoman Temple 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
Councilman Ned V. Lankford	aye

Councilwoman L. Dale Temple aye

APPROVAL OF BILLS

A listing of the May 19, 2009 bills was presented to City Council members.

General Fund	\$987,107.46
Utility Fund	\$250,317.80

Councilman Lankford moved to approve payment of the bills 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
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/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 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 City Council members.

AGENDA APPROVAL

Mayor Adams reported that Councilman White requested the withdrawal of **item 09-69**. He also requested that **item 09-13** be moved from Tabled Items to Unfinished Business. He also reported that no additional information was available for **item 09-68** and, as such, the item would not be addressed that evening.

Councilman Harris moved to approve the Agenda as amended and requested. Councilwoman Temple 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

UNFINISHED BUSINESS

09-13. Crater District Area Agency on Aging Board – Appointment Request

Mr. Thrower reported that Mr. Joseph Carey of 6502 E. Atlantic Street expressed the desire to represent Emporia on the Crater District Area Agency on Aging Board to fill the term vacated by Ms. Hattie Jefferson.

Councilman Harris moved to approve that Mr. Joseph Carey be appointed as requested. 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
Councilman Ned V. Lankford	aye

NEW BUSINESS

FY10 Greensville County Public School System Budget Resolution

Mr. Thrower reported that the proposed FY10 Operating Budget for Greensville County Public School System reflected \$33,484,037, a 16.29 percent reduction over FY09. He also reported that, if Emporia were to fully fund the School Administration's request, an appropriation of \$3,326,355 would be required. He further reported that Emporia proposed a budget of \$3,325,836.

He stated that the student population's average daily membership for Emporia reflected 982.98. He also stated that the figure had increased by 31.98. He requested that City Council members review and approve **Resolution 09-11** setting the dollar amount for Greensville County's School Budget for FY 09-10 as presented.

Councilman Saunders moved to approve Resolution 09-11 as presented. 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-72. Zoning and Building Permit Fee Schedule Updates

Mayor Adams reported that a public hearing had been held earlier that day concerning the matter. Councilman White moved to approve the proposed zoning and building permit fee updates as presented. Councilwoman Temple seconded the motion.

Councilman Saunders made a substitute motion to have the proposed figures re-evaluate. Councilwoman Temple seconded the substitute 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-73. Zoning, Subdivision, and Property Maintenance Code Updates

Mr. Hall reported that a public hearing had been held earlier that day concerning proposed updates to Emporia's Code of Ordinances for zoning, subdivision, and property maintenance. He also reported that Emporia's Planning Commission recommended approval of the updates as presented to City Council members. He requested that City Council members approve **Ordinances 09-17 through 09-30** reflecting respective updates.

Councilman Harris expressed his dislike of the proposed requirement of curbs, gutters, and sidewalks for new subdivisions.

Councilman Lankford moved to approve Ordinances 09-17 through 09-30 detailing updates to Emporia's Code of Ordinances concerning zoning, subdivision, and property maintenance. Councilman White seconded the motion, which passed as follows:

Councilman John R. White	aye
Councilman F. Woodrow Harris	nay
Councilman James C. Saunders	nay
Councilwoman Doris T. White	aye
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-74. Floodplain Ordinance Updates

Mr. Hall reported that a public hearing concerning the matter had been held earlier that day. He also reported that FEMA requires that Emporia update its floodplain ordinance to meet federal regulations. He requested that City Council members adopt **Ordinance 09-16** reflecting respective updates to Emporia's Code of Ordinances and that they approve the respective flood insurance rate map and flood insurance study as presented.

Councilman Harris moved to approve Ordinance 09-16 and the respective flood insurance rate map, and flood insurance study as presented. 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-75. Abandoned Shopping Carts Ordinance

Mr. Hall reported that the issue of commercial shopping carts on private property had been an on-going concern within the city. He also reported that staff researched means of controlling the issue and that letters had been mailed to respective store managers informing them of the city's concern and needed cooperation. He further reported that research was being conducted concerning an ordinance governing the matter.

He requested that City Council members allow the city's Administration to advertise a June 16, 2009 public hearing notice concerning the matter.

Councilman White moved to approve the request as presented. Councilwoman Temple 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

Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-76. *Meherrin Regional Library Board Appointment*

Mr. Thrower reported that Mrs. Betsy Sharrett's term on Emporia's Meherrin Regional Library Board was due to expire on June 30, 2009. He also reported that Mrs. Sharrett advised staff that she wished to be considered to serve another 4 year term on the Board.

Councilman Harris moved to approve that Mrs. Sharrett be appointed to serve another 4 year term on the Meherrin Regional Library Board. Councilwoman Temple 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-77. *Improvements on Private Property*

Mr. Thrower reported that issues concerning improvements on private property existed and that Emporia had no formal policy concerning the matter. He requested that City Council members authorize Administration to research other localities' policies and ordinances regarding the matter and bring their findings to them for consideration. He further requested that individual cases concerning improvements on private property be forwarded to City Council for consideration until a definitive resolution is established for handling such concerns.

It was the consensus of City Council members to allow Administration to research other localities' policies and ordinances regarding the matter and present findings to them. It was also the consensus of City Council members to have individual cases concerning improvements on private property forwarded to them for consideration and action.

09-78. *Justice Assistance Grant*

Mr. Thrower reported that the Edward Byrne Memorial Justice Assistance Grant (JAG) Program was a primary provider of federal criminal justice funding to state and local jurisdictions. He also reported that specific dollar amounts are allotted to jurisdictions and that Emporia was allocated \$10,547.00. He further reported that Emporia's Police Department Administration proposed to complete the purchase of new portable/mobile radios with the funds.

He requested that City Council members authorize Emporia's Police Administration to submit the Justice Assistant Grant for the purchase of portable/mobile radios as requested.

Councilman White moved to approve the request as presented. Councilman Saunders 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

09-79. *Educational Assistance Policy*

Mr. Thrower reported that the city of Emporia's Educational Assistance policy for employees was reviewed concerning eligibility requirements. He requested that, should City Council members elect to waive any provisions of the policy, guidelines be amended for any new forthcoming requests.

Councilman Harris reported that he requested that the matter be placed on the Agenda and that the concerns warranting its discussion had been rectified.

It was the consensus of City Council member to strike the matter from further discussion.

09-80. *U.S. Census 2010 – Ms. Patricia Knight*

Ms. Patricia Knight of the U.S. Census Bureau provided City Council members with an overview of the 2010 census and what the city can do to assist in achieving a complete and accurate census count.

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. Randy Pearce, Building/Fire Official for Emporia advised City Council members that he understood Mr. Grigg's concerns the proposed fees addressed during the public hearing. He also advised them that the proposed building fees were based on what Greensville County had implemented based on a wide survey conducted by him and Mr. Mike Veliky. He further advised them that no objections had been received from contractors concerning the proposed fees.

He stated that, while some of the proposed fees may need adjustments, the main building fees were in line with those in adjacent localities.

Mrs. Debra Brown of 604 Temple Avenue, Emporia, Virginia stated that it was important that all entities within the community participate in the 2010 Census as it affected revenue that would be allocated to the community. She requested that citizens do their part to ensure that accurate information is obtained.

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

Councilman Saunders moved that Closed Session be entered for the purpose of discussing Virginia Code § 2.2-3711 (A) (7) **Legal Matter** (*contractual matter*). Councilwoman Temple 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

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

Councilman White moved that the meeting be returned to Regular Session. Councilman Saunders 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	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:

Councilman John R. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	aye
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	aye

Councilman Harris moved to adopt a resolution approving submittal of an application to the Special Projects Committee of the Tobacco Commission for \$50,150 as it pertains to the Mega Site and Purdue Facility. Councilwoman Temple 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
Councilman Ned V. Lankford	aye
Councilwoman L. Dale Temple	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