

PUBLIC HEARINGS

- 1. Consideration of Drug Blight Ordinance**
 - 2. West Atlantic Street Neighborhood Revitalization Project**
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Emporia City Council held 2 public hearing on Tuesday, March 17, 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 F. Woodrow Harris
Councilman James C. Saunders	Councilwoman Doris T. White
Councilwoman Carolyn S. Carey	Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple	

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

1. Consideration of Drug Blight Ordinance

Mr. Thrower reported that Virginia Code § 15.2-907 permits localities to take corrective action on properties deemed to be drug blighted and defines such properties and corrective actions. He also reported that the City of Franklin and the City of Norfolk have had success in using the law to abate drug blighted properties within their jurisdictions. He further reported that adopting a local ordinance authorizing the provisions of the law would provide another tool to combat recurring drug related issues often deemed difficult to address through conventional means.

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

2. West Atlantic Street Neighborhood Revitalization Project

Mr. Hall reported that the Community Development Block Grant (CDBG) program provides funding for local governments to address and meet community development, predominantly for low-income and moderate-income individuals. He also reported that the goals of the CDBG program are to: improve the economic and physical environment in Virginia's communities through implementation of activities that primarily benefit low-income and moderate-income individuals, prevent or eliminate slums and blighted conditions, or meet urgent needs that threaten the welfare of citizens. He further reported that, in Virginia, the Virginia Department of Housing and Community Development (VDHCD) administers the program and anticipated a total of \$18,670,475.00 being available for 2009 Community Improvement Grants (CIG).

He stated that a VDHCD anticipated a maximum of approximately \$11,420,000.00 being available for Competitive Grant projects during fiscal year 2009. He also stated that a wide range of activities could be pursued with CDBG funding with primary project types being: comprehensive community development, housing, economic development, community facility, and community service facility. He further stated that it was anticipated that the City of Emporia would resubmit a grant application for \$1.4M for the West Atlantic Street Neighborhood Revitalization Project, classified as a comprehensive community development project.

Mr. Hall reported that the City of Emporia was working closely with respective property owners, residents, and other interested parties concerning the project. He further reported that an initial neighborhood meeting was held on January 15, 2009 to identify needs and possible improvements. He further reported that a follow-up meeting was slated for the latter part of March 2009.

He stated that the proposed revitalization project would be presented to City Council members during a proposed March 31, 2009 special meeting. He also stated that, upon approval, the application would be submitted on or before April 8, 2009. He further stated that any residential displacement or relocation resulting from the implementation of a CDBG project would be required to comply with federal guidelines as outlined in the Uniform Relocation Assistance and Real Properties Acquisition Policies Act.

He reported that City Council members had been provided with a sample resolution for review authorizing the submission of the CDBG application. He also reported that the sample resolution lacked cost estimates as such figures were not finalized at that time. He further reported that a finalized version of the proposed resolution would be presented before City Council members for consideration at the proposed March 31, 2009 special meeting.

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
MARCH 3, 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, March 17, 2009, at 7:30 p.m. in the Council Chambers of the Municipal Building. 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
Councilwoman Carolyn S. Carey
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple

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

MINUTES APPROVAL

Councilman White moved to approve the March 3, 2009 Regular Meeting minutes. 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
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

APPROVAL OF BILLS

A listing of the March 17, 2009 bills had been presented to City Council members.

General Fund	\$851,308.99
Utility Fund	\$63,941.62

Councilman Saunders moved to approve payment of the bills 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
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. 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 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 Council.

AGENDA APPROVAL

Councilman Saunders moved to approve the agenda as presented. Councilwoman Carey 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

UNFINISHED BUSINESS

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

Mr. Thrower reported that item 09-13 had been before City Council members several times previously for consideration and deferred.

With no recommendations for appointment to be presented before City Council members at that time, it was the consensus of City Council members to defer the matter for 2 additional weeks.

NEW BUSINESS

09-39. Consideration of Drug Blight Ordinance

Mr. Thrower reported that a public hearing had been held earlier that evening concerning the matter and recommended that City Council members review and approved Ordinance 09-13 to amend Chapter 14 to add Article VIII concerning the removal, repair or securing of buildings and other structures harboring illegal drug use.

Councilman White moved to approve **Ordinance 09-13** as presented. Councilwoman Carey 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

09-40. Consideration of Citizens National Bank Building Proposals

Mr. Thrower reported that, over the last several years, options for use of the Citizens National Bank Building had been explored. He also reported that City of Emporia Administration had been working with Commonwealth Preservation Group to develop a Request for Proposals for the purpose of soliciting a developer to acquire and rehabilitate the facility. He further reported that the proposals were due Monday, February 16, 2009, and that 2 developer proposals had been received.

He requested that the matter be delayed for further consideration and study.

Councilman Harris asked Mr. Thrower if having potential tenant on the lower portion of the facility would conflict with what the potential developers' use of the facility.

Mr. Thrower advised Councilman Harris that he believes the potential developers would welcome the idea.

It was the consensus of City Council members to delay the matter at that time.

09-41. West Atlantic Street Neighborhood Revitalization Project Public Hearing

Mr. Hall reported that a public hearing had been held earlier that day concerning the application of a Community Improvement Grant in the amount of \$1.4M. He also reported that the application process required City Council members to approve a resolution allocating funding towards the project. He requested that City Council members review the relevant sample resolution provided to them and informed them that a finalized resolution would be presented to them for review and approval during a proposed March 31, 2009 special meeting.

09-42. Debt Restructuring Opportunity – Davenport & Company, LLC

Mr. Roland Kooch of Davenport & Company, LLC provided City Council members with proposed debt restructuring options in an effort to do the following:

- realize potential cash flow relief in fiscal year 2010 through 2011
- minimize restructuring size to avoid unnecessary future debt service costs
- target bonds eligible to be refinanced
- obtain interest rates on restructured bonds similar in yield to those of the outstanding bonds
- maintain the overall debt service timetable
- provide a timetable to implement potential restructuring financing

He advised City Council members that proposed refinancing would potentially target fiscal year 2010 through 2011 and maintain future debt service at or below the fiscal year 2009 through 2010 amount of approximately \$1,226,000.

Councilman Saunders stated that he felt that, for the next 5 to 10 years, focus should be placed on helping the City of Emporia's cash flow and not extending debt too far.

Councilman Harris asked if he was correct in understanding that the proposal presented entailed the addition of \$180,000 to the total obligation for the sake of leveling the amount being paid out over the next several years.

Mr. Kootz advised Councilman Harris that the proposal essentially increases payments over the course of 2012 to 2016 by approximately \$100,000. He also advised him that \$180,000 would be subtracted and \$280,000 would be added.

Mayor Adams asked if Mr. Kootz could renegotiate rates with Carter Bank.

Mr. Kootz advised Mayor Adams that he could investigate renegotiation options with Carter Bank.

He also advised him that he could do an analysis of long-term fixed rates which would entail taking bank-type debt to publicly offered debt through the Virginia Resources Authority. He further advised them that he could inform City Council members of his findings at a later date.

It was the consensus of City Council members to allow Mr. Kootz to investigate renegotiation options with Carter Bank and to conduct an analysis of long-term fixed rates through the Virginia Resources Authority and provide his findings at the proposed March 31, 2009 special meeting.

09-43. City Council Special Meeting on Tuesday, March 31, 2009

Mr. Thrower requested that City Council members authorize the scheduling of a March 31, 2009 special meeting at 5:30 p.m. in Council Chambers to consider a resolution authorizing the submittal of the West Atlantic Street Neighborhood Revitalization Project Community Improvement Grant Application, recommendations regarding engineering proposals received for the city's water treatment plant and intake structure, and further proposed debt restructuring options from Davenport & Company, LLC.

It was the consensus of City Council members to conduct a special meeting on Tuesday, March 31, 2009, at 5:30 p.m. in Council Chambers as requested.

09-44. Recreation Advisory Commission – Term Expirations (Rick Franklin/Samuel W. Adams, III/Edward V. Lankford, IV/Doris T. White)

Councilman White moved to approve that Mr. Rick Franklin, Samuel W. Adams, III, Edward V. Lankford, IV, and Doris T. White be reappointed to the City of Emporia's Recreation Advisory Commission for another 1 year term. 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
Councilwoman Carolyn S. Carey	aye
Councilman Edward V. Lankford, IV	aye
Councilwoman L. Dale Temple	aye

PUBLIC COMMENT

With there being no comments to come before City Council the meeting was adjourned.

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

Councilman White moved that Closed Session be entered for the purpose of discussing Virginia Code § 2.2-3711 (A) (7) **Legal Matter**. 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 Saunders moved that the meeting be returned to Regular Session. Councilwoman Carey 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

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
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 the meeting was adjourned.

Samuel W. Adams, III, Mayor

Jean V. Whiting, City Clerk