

MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
May 5, 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, May 5, 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
Councilman Edward V. Lankford, IV
Councilwoman L. Dale Temple

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

Absent: Councilwoman Carolyn S. Carey (*illness*)

MINUTES APPROVAL

The minutes of the April 21, 2009 Regular City Council Meeting were distributed to City Council members.

Councilwoman Temple moved to approve the minutes as presented. Councilman Lankford seconded the motion, which passed as follows:

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

CITY ATTORNEY REPORT

C. Butler Barrett, city attorney had no matters to report to City Council members.

AGENDA APPROVAL

Mayor Adams reported the addition of agenda item **09-70. *Parking Lot Maintenance.***

Councilman Saunders moved to approve the agenda as amended. Councilwoman White seconded the motion, which passed as follows:

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

SPECIAL RECOGNITION

In honor of 2009 Municipal Clerks Week, Mayor Adams presented a proclamation to Jean Whiting, city clerk for the City of Emporia.

Councilwoman White moved to approve the proclamation as presented. Councilman Harris seconded the motion, which passed as follows:

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

UNFINISHED BUSINESS

09-60. VPI Extension Office – Request for Authorization to Proceed

Mr. Thrower reported that the City of Emporia and Greensville County actively pursued renovation of the former School Board building, located on Oak Street, to house the VPI Extension Office. He also reported that construction bids were received by Greensville County staff with the lowest bid being from Howerton Construction. He further reported that the proposed budget reflected \$243,175 and that the initial project budget was estimated at \$415,000.

He stated that, since the April 21, 2009 City Council meeting, minor modifications had been made to the contract between the City of Emporia and Greensville County concerning the matter. He also stated that the modified agreement was forwarded to Greensville County's administrator for signature approval.

NEW BUSINESS

09-65. Annual Spring Cleanup

Mr. Hall reported that the city of Emporia's Public Works Department was slated to conduct an annual Spring Cleanup May 11-22, 2009. He also stated city residents were encouraged to use that time period to dispose of residential household and bulky waste on their normal trash collection days.

09-66. Property Maintenance Program

Mr. Hall reported that an informational packet containing enhanced property maintenance guidelines had been prepared for distribution to residents, businesses and industries throughout the City of Emporia. He also reported that the city's existing Property Maintenance Program is managed through the city's Department of Inspections. He further reported that the Department of Inspections would continue to be responsible for enforcing the standards outlined in the informational packets and that the information contained in the packets is listed in the city's Code of Ordinances.

He distributed copies of the informational packets to City Council members and stated that a grace period would be provided to property owners allowing them adequate time to address violations prior to the issuance of a violation notice. He requested that City Council members allow city staff to move forward with implementation of the city's enhanced Property Maintenance Program as presented.

Councilman White moved to approve implementation of the City of Emporia's enhanced Property Maintenance Program. Councilman Saunders seconded the motion, which passed as follows:

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

09-67. Water Treatment Plant – Proposed Contract for Engineering Services

Mr. Thrower reported that, on April 7, 2009, City Council members authorized him to negotiate a contract with Dewberry for professional engineering services associated with the design, bidding, and construction of the city's water treatment plant and intake structure project. He provided copies of the proposed contract to City Council members concerning the preparation of a preliminary engineering report and an environmental report associated with the water treatment plant and intake structure projects. He also reported that Dewberry proposed to provide the services for \$33,850. He further reported that fees associated with design, environmental study, permit application preparation, bidding, and construction costs were excluded from the figure and that an additional agreement would be required to cover such additional costs.

He requested that City Council members authorize him to sign the proposed agreement with Dewberry as presented. He advised them that it was estimated that the environmental report would require ninety days for completion and the preliminary engineering report would require sixty days for completion.

Councilman Saunders moved to approve that the city manager be authorized to sign the agreement with Dewberry as requested. Councilwoman Temple seconded the motion, which passed as follows:

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

09-68. Request by Council Member Harris – Revisions to Employee Policy Manual (Chapter IX – Holidays and Leaves)

Mr. Thrower reported that Councilman Harris requested that the City of Emporia's Employee Policy Manual be reviewed concerning holidays and leaves due to amendments in federal laws and/or review of other organizational personnel policies. He also reported that, while the policies are reviewed, Councilman Harris requests that the city's Administration temporarily suspend any employee terminations that may occur in the future due to violation of Chapter IX as a result of exhausting the 12 week maximum time limitation allotted for FMLA leave.

Councilman Harris moved to approve that the City of Emporia suspend employee terminations until their regularly schedule second meeting of June 2009 pending staff review and City Council revision of the respective policies. Councilwoman Temple seconded the motion, which passed as follows:

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

09-69. Request by Council Member Doris White – Gowin Street Speeding Concerns

Mr. Thrower reported that Councilwoman White requested that the city's Public Works Department director and the city's chief of police work in collaboration to consider installing 3-way stop signs along Gowin Street at the intersections of Mead, Belford, and/or Belden Streets.

It was the consensus of City Council members to delay the matter for 2 weeks to allow the city's Administration to review the matter.

09-70. Parking Lot Maintenance – Mayor Samuel W. Adams, III

Mayor Adams reported that a request was received for the City of Emporia to provide information concerning private parking lot maintenance. He also reported that, based on his experiences, resolutions to any such issues were resolved by contacting the respective property maintenance individual(s). He further reported that a number of individuals had expressed concerns about the parking lot between the former Red Dog Shop and the Historical Society building located on South Main Street.

He stated that previous attempts to progress toward improving the respective parking lot had failed. He also stated that the matter would be reviewed to determine if the city has jurisdiction concerning the case.

It was the consensus of City Council members to have the city's Administration mail a letter to the respective property owner(s) requesting their present at the next regularly scheduled City Council meeting and that the matter be placed on the respective agenda.

PUBLIC COMMENT

Mayor Adams asked if anyone wished to bring a matter before city council members adhering to the 3 minute time limitation.

Sheriff Sam Brown of 201 South Main Street requested that City Council members assist him in obtaining a new/replacement departmental vehicle. He also advised them that, if they provide him with funding for another vehicle, he would provide the radar for it. He further advised them that his vehicle had over 142,000 miles, a deteriorating transmission, and has undergone over \$1,500 of transmission repairs.

Mayor Adams advised Sheriff Brown that the next budget work session was schedule for the following Wednesday at 7:00 p.m. and that he looked forward to see him there.

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

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

Councilman White moved that Closed Session be entered for the purpose of discussing Virginia Code § 2.2-3711 (A) (3) **Acquisition of Real Property for Public Purpose** and (7) **Legal Matter (probable litigation)**. Councilwoman Temple seconded the motion, which passed as follows:

Councilman John F. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	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 Temple seconded the motion, which passed as follows:

Councilman John F. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	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 Lankford seconded the motion, which passed as follows:

Councilman John F. White	aye
Councilman F. Woodrow Harris	aye
Councilman James C. Saunders	aye
Councilwoman Doris T. White	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