

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
MAY 20, 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, May 20, 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
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
Bernard Richardson, Chief of Police
Brian S. Thrower, City Manger
Steven B. Hall, Assistant City Manager
Lori R. Jarratt, Executive Secretary

Absent: Jean V. Whiting, City Clerk

MINUTES APPROVAL

The minutes of the May 6, 2008 City Council Meeting were distributed to City Council members. Councilwoman Squire moved to approve the minutes as presented. 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

APPROVAL OF BILLS

A listing of the May 20, 2008 bills had been presented to City Council members.

General Fund	\$910,042.10
Utility Fund	\$272,933.86

Councilman Saunders moved to approve payment of the bills 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 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.

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.

Mr. Thrower, City Manager took a moment to welcome and introduce Steven B. Hall, the new

Assistant City Manger for the City of Emporia. Mayor and City Council members welcomed Mr. Hall to the City. Mr. Hall stated that he looked forward to working with the City.

AGENDA APPROVAL

Mayor Adams reported that the Agenda had been amended to include item(s) ***08-46 Building Permit Fee Waiver Request – EGRA***

Councilman Saunders moved to approve the Agenda as amended. 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

UNFINISHED BUSINESS

NEW BUSINESS

08-44. Department of Emergency Management Grant Funds – Appropriation Ordinance

Mr. Thrower reported that the City received notification on April 24, 2008 that the City of Emporia had been awarded a Hazardous Materials Emergency Preparedness planning sub-grant through the Department of Emergency Management in the amount of \$7,500. He also reported that the grant required an in-kind match of \$1,500 which will be made through our existing budget. He stated that the grant award will be used to update the City’s Hazardous Emergency Plan and Emergency Operating Plan. He advised that Council would need to appropriate the grant funds into the current operating budget in order for the City to utilize this award.

He recommended that City Council adopt the following ordinance:

Ordinance No. 08-12

An Ordinance To Appropriate The Sum Of \$7,500
In Grant Funds From The Department Of
Emergency Management For Hazardous Materials
Emergency Preparedness Planning

BE IT ORDAINED by the Council of the City of Emporia, Virginia as follows:

1. That the sum of \$7,500.00 in sub-grant funds from the Department of Emergency Management be, and the same hereby is, appropriated into the City’s Operating Budget for Fiscal Year 2007-2008.
2. Said appropriation shall be reflected in the 2007-2008 Operating Budget as the sum of \$7,500.00 appropriated to the General Fund Revenues and the sum of \$7,500.00 appropriated to the General Fund Expenditures Account number 35500-5898 Hazardous Materials Emergency Preparedness

Planning Grant.

3. The City Manager is hereby authorized to do all things necessary to implement this ordinance.
4. This ordinance shall be in effect on and after its adoption.

Councilman Harris moved to adopt the ordinance to appropriate the sum of \$7,500 in grant funds from the department of emergency management for hazardous materials emergency preparedness planning.

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

08-45. Partial Refund of Meals Tax - Sodexho

Mr. Thrower advised that Joyce Prince, Commissioner of the Revenue, has requested that City Council approve the partial refunding of meals tax that was overpaid by the Sodexho Company in the amount of \$7,607.82.

Councilman Saunders moved to approve the refund request to Sodexho Company in the amount of \$7,607.82. Councilwoman Squired 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

Councilman Saunders stated that there had been several request for refunds from the Sodexho Company and inquired if the company had difficulties keeping records. Mr. Prince, Commissioner of the Revenue, advised that the coding in Sodexho's new computer program was done incorrectly. She also advised that Sodexho was no longer in the City of Emporia.

Councilman Harris stated that the City could only collect an amount that an individual may owe, as far back as three years. He inquired if there were any similar limitations where the City would be required to make a refund. Ms. Prince advised that the City has refunded them in the past.

Mayor Adams inquired if the Commissioner of the Revenue could charge an administrative cost for researching back in order to provide the refund. Ms. Prince advised that a fee has not been applied in the past. Mayor Adams advised that this may be a fee that Ms. Prince could review and possibly assess in the future.

08-46. Building Permit Waiver Fee Request- EGRA

Mayor Adams stated that Mr. Richard C. Franklin, President, EGRA, has requested that the City waive the building permit fees associated with constructing a bathroom facility at Meherrin River Park.

Council John White moved to approve the request by the EGRA to waive the building permit fees. 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

Councilman Harris inquired if we owned the land where the EGRA Park is located. Mr. Thrower advised that the City does own the land. He also advised that even though this is city property, a building permit would need to be obtained for record purposes.

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. Cornell Hines of 1537 Lowground Road, Emporia, Virginia wanted to extend an invitation for City Council to attend the dedication of the seventh Habitat for Humanity home at 221 Zion Boulevard, Emporia, Virginia on Sunday, June 1, 2008 at 3:00P.M.

With there being no further comments to come before City Council, Mayor Adams entered 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) (5) **Industrial Matter**, 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 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 Saunders moved to approve for the City Manager to contact Kimley-Horne and Associates regarding the traffic signal design at the 301 North Main Street and Commonwealth Boulevard intersection. He also stated, in particular he would like the City Manager to discuss with Kimley Horne and Associates, the possibility of moving the stop bar back that is planned to go in front of Emporia Welding.

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	aye

ADJOURNMENT

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

Samuel W. Adams, III, Mayor

Lori R. Jarratt, Executive Secretary