

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
SEPTEMBER 16, 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, September 16, 2008, 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 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: Samuel W. Adams, III, Mayor
Todd Anderson, Police Captain
C. Butler Barrett, City Attorney
Steven B. Hall, Assistant City Manager
William S. Harris, Treasurer
Joyce E. Prince, Commissioner of the Revenue
Bernard Richardson, Chief of Police
Brian S. Thrower, City Manger
Jean V. Whiting, City Clerk

MINUTES APPROVAL

The minutes of the September 2, 2008 Public Hearing and Regular Meeting were distributed to City Council members. Councilman White moved to approve the minutes 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
Councilwoman Carolyn S. Carey	aye
Councilman Ned V. Lankford	aye

APPROVAL OF BILLS

A listing of the September 16, 2008 bills were presented to City Council members.

General Fund	\$917,996.64
Utility Fund	\$61,420.21

Councilman Saunders moved to approve payment of the bills as presented. 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

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

Mr. Thrower requested that the Agenda be amended to reflect the addition of Closed Session item **2.2-3711(A) (19) Discussion of Plans to Protect Public Safety**. 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 Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Ned V. Lankford	aye

UNFINISHED BUSINESS

08-75. Request by Council Member Saunders - Neighborhood Traffic Safety Initiative

Chief Richardson stated that, at the September 2, 2008 City Council Meeting, he was requested to conduct research relative to traffic safety for several areas within the City of Emporia. He also stated that, based on his research, he recommended the erection of traffic signs as an initial plan of action with follow-up monitoring at Laurel Street, Temple Avenue, Jefferson Street, Church Street, and Farmer Street.

Councilman Saunders asked Chief Richardson if his recommendation applied mostly to 4-way stops versus 3-way stops.

Chief Richardson advised Councilman Saunders that his initial suggestion was aimed more towards 4-way stops and that one of the streets would require a 3-way stop.

Mr. Thrower stated that the intersections being addressed initially were Peachtree Street and Laurel Street, Laurel Street and Tillar Street, Jefferson Street and Peachtree Street, Church Street and Engleside Avenue, and Spring Street and Farmer Street.

Councilman White asked Chief Richardson to consider evaluating the corner of Evans Street and Lewis Street as well.

Councilman Saunders advised the public that the matter was being recommended as a trial and encouraged the public to provide feedback concerning the matter in an effort to make areas within the City of Emporia safer for everyone.

08-76. Request by Council Member John White – Taxicab Meters

Councilman White stated that placing meters within taxicabs ensures fairness. He also stated that some individuals were being unfairly overcharged by some taxicab drivers. He further stated that Mrs. Robinson and Mr. Bernard Prince were present to display a sample of and provide details about taxicab meters.

Mr. Prince of 6 Franklin Street, Emporia, Virginia stated that Lula B. Taxi in Franklin, Virginia has utilized meters for 9 years and stated that the meters do ensure fairness. He also stated that his taxicab meters were equipped to handle 3 passengers simultaneously.

Councilman Saunders asked Mr. Prince who regulates and checks the meters at Lula B. Taxi.

Mr. Prince advised Councilman Saunders that the State of Virginia's Police Department regulates and checks the meters annually.

Councilman Saunders asked Mr. Prince if the meters were protected with an anti-tampering device and, if so, what type of penalty would be imposed for such action.

Mr. Prince advised Councilman Saunders that the meters are equipped with an anti-tampering device and that he was unsure of the exact penalty associated with such action.

Mr. Thrower asked Mr. Prince to provide the price of such meters.

Mr. Prince advised Mr. Thrower that, approximately 10 years prior, they were purchased at approximately \$250.00 each.

Councilman Harris asked Mr. Prince to elaborate on display information provided by the meter to passengers.

Mr. Prince advised Councilman Harris that passengers are provided with pricing information as the meter is in use.

Ms. Cathy Robinson, of Robinson Cab, Emporia, Virginia, stated that there was a dire need for time and distance meters in taxicabs within the City of Emporia. She also stated that such meters would allow passengers to be fairly charged. She further stated that, upon reviewing surrounding cities, it was reflected that metered taxicabs had not led to the loss of business revenue.

Councilman Saunders stated that, the Virginia Department of Agriculture previously inspected the meters and, according to their knowledge, no one is currently responsible for such inspections. He also stated that, if approved for mandatory use within the City of Emporia, research would be need, prior to implementation, concerning costs associated with meter inspections. He further stated that he feels that a public hearing should be scheduled concerning the matter to ensure that various cab companies and passengers could voice their comments and concerns relative to the matter.

Councilman White suggested that a public hearing be held after additional research and study is conducted concerning the matter. It was the consensus of City Council members that additional research and study be conducted concerning the matter and that a public hearing be scheduled afterwards.

NEW BUSINESS

08-78. Highway Safety Commission – 4 Term Expirations

Mr. Thrower stated that the terms of Mr. Reginald Harris, Mr. Edward Hollomond, Mr. Sam Brown, and Ms. Shirley Thomas on the City of Emporia's Highway Safety Commission were due to expire on September 30, 2008. He also stated that each individual expressed the desire to be considered for reappointment.

Councilman Lankford moved to approve that Mr. Reginald Harris, Mr. Edward Hollomond, Mr. Sam Brown, and Ms. Shirley Thomas be reappointed to serve 3-year terms on the City of Emporia's Highway Safety Commission. 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 Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilman Ned V. Lankford	aye

08-79. 2000 TRIAD Crime Prevention for Seniors Grant – Appropriation Ordinance

Mr. Thrower stated that the City of Emporia was awarded a TRIAD Crime Prevention for Seniors grant by the Virginia Office of the Attorney General. He also stated that the grant was in the amount of \$1,500.00 and would be utilized for crime prevention purposes. He further stated that, of that amount, \$1,350.00 in State funds and \$150.00 in local funds would be used to support a "Senior Day" to be sponsored by the local Seniors & Law Enforcement Together (S.A.L.T.) and TRID groups.

He reported that the funding had not been included in the city's current operating budget and requested that City Council members review and approve the following appropriation ordinance incorporating the funds as such:

Ordinance No. 08-25

An Ordinance To Appropriate The Sum Of \$1,350 in
TRIAD Crime Prevention For Seniors funds.

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

1. That the sum of \$1,350 in TRIAD Crime Prevention For Seniors funds from the Virginia Office of the Attorney General be, and the same hereby is, appropriated into the City's Operating Budget for Fiscal Year 2008-2009.
2. Said appropriation shall be reflected in the 2008-2009 Operating Budget as the sum of \$1,350 in anticipated General Fund Revenues and the sum of \$1,350 appropriated to General Fund Expenditures for expenses related to the crime prevention for local seniors, Account Number 31100-6010 POLICE SUPPLIES.
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 Saunders moved to approve the ordinance as presented. 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

08-80. Request by Mayor Adams – Lifting of Police Officer Hiring Freeze

Mayor Adams stated that there had been a recent increase in crime within the City of Emporia. He also stated that the types of criminal behavior being displayed could not be tolerated and requested that, for the safety and protection of citizens and their properties, City Council members unfreeze the 2 police officer positions that had been frozen in the current year’s budget. He further stated that, “after meeting with our police officers last week, along with the city manager, it was quite evident to me that the lack of manpower is at a critical point.”

He reported that 3 officers were on medical leave while Officer Carter continued his service in the military. He also reported that, with duties in court and continuing education courses, which remove officers from the community, the situation, “has become more grave.” He further reported that he felt that the unfreezing of the 2 positions was prudent and critical for the safety of the community.

Councilman White made the motion to unfreeze the police officer positions. 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

Mayor Adams stated that an attempt would be made to hire certified officers in an effort to increase street manpower as soon as possible. He also stated that, “the safety of our citizens is of utmost concern.”

08-81. Cancellation of October 21, 2008 and November 4, 2008 City Council Meetings

Mr. Thrower stated that, due to City Council members’ scheduled attendance at the October 2008 Virginia Municipal League (VML) Conference and the November 4, 2008 Election Day, the October 21, 2008 and November 4, 2008 City Council Meetings should be cancelled. He requested that City Council members approve cancellation of those meetings.

Councilman Harris moved to approve cancellation of the October 21, 2008 City Council Meeting and the November 4, 2008 City Council Meeting. 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

08-82. Request by Emporia-Greenville Habitat for Humanity – Use of Funds for Purchase of Office Building

Mayor Adams stated that Mrs. Ann Thomas, Executive Director of Emporia-Greenville Habitat for Humanity, was present to provide City Council members with good news and asked her to enlighten City Council members.

Mrs. Thomas advised City Council members that Emporia-Greenville Habitat for Humanity recently purchased the former Family Dollar store within the City of Emporia and would be relocating their office and ReStore there. She requested that City Council members allow the remainder of funding provided by the City of Emporia, for renting office space at the Bethlehem Building, to be utilized towards the purchase of the former Family Dollar store building.

Councilman White made the motion to allow Emporia-Greenville Habitat for Humanity to use the remaining portion of funding, provided by the City of Emporia for office rental space, towards the purchase of the former Family Dollar store building as requested. 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 Doris T. White aye
Councilwoman Carolyn S. Carey aye
Councilman Ned V. Lankford aye

Reverend George W. Pugh of Habitat of Humanity’s Board of Directors expressed gratitude to City Council members for their assistance. He stated that, while no further assistance would be requested of City Council members for the remainder of the current year, assistance would be requested during the city’s budget planning period in an effort to eliminate the bill associated with the purchase of their new facility.

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. Theodore Lane of Teddy’s Taxi Service asked Mr. Prince to provide the number of taxicabs he currently operates and initially started with in Franklin, Virginia.

Mr. Prince advised Mr. Lane that he currently operates 4 taxicabs in Franklin, Virginia and initially started with 7.

Ms. Bidgett Tyler stated that she had been in the taxicab business for twenty-seven years. She also stated that her field was the taxicab business and asked all individuals that depend upon Halifax Cab services to stand. She further stated that she wanted to speak for the individuals that were standing because, “it’s not all about the money. Its about caring about people.”

She reported that she has a love for people and provided a petition to City Council members listing individuals that ride taxicabs.

Mr. Bill Hodge of 507 South Oakhill Drive, Emporia, Virginia stated that he was present on behalf of the Emporia Downtown Development Association and that the “Peanut Kick-Off Kook-Off” was scheduled for Thursday, September 25, 2008, from 6:00 p.m. to 8:00 p.m. at the city’s pavilion. He encouraged participation in the event and stated that the entry fee for the event was \$10.00 and \$5.00 for taste tasting and that tickets could be purchased from him that night or by visiting the City of Emporia’s Chamber of Commerce.

Mr. Cornell Hines stated that he noticed that the right outside (northward) lane on Market Drive was “right turn only” and caused tremendous traffic congestion in that area. He also stated that he believed that the problem could be resolved if there were 2 right entrance and exit lanes for Wal-Mart at Route 58 and Market Drive. He further stated that he mentioned the suggestion several years prior and was informed that the matter would be studied.

Mrs. Debra Brown of the local NAACP chapter reminded everyone about the Greenville-Emporia Freedom Fund Banquet scheduled for 5:00 p.m. at Greenville County High School on Saturday, October 4, 2008. She encouraged City Council members and the public to attend the event and stated tickets were available for those interested in attending. She further stated that the guest speaker for the event would be Mr. Jack W. Gravely, former Executive Director of the Virginia State Conference NAACP.

With there being no further comments to come before City Council members, 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) (7) Legal Matters** and **(19) Discussion of Plans to Protect Public Safety**. 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*****

Councilman White moved that the meeting be returned to Regular Session. 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

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:

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 White moved to approve the addition of 2 police officer position to the City of Emporia's workforce and authorization of the city manager to begin the process of filling the positions immediately. 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 Doris T. White	aye
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

Jean V. Whiting, City Clerk