

October 25, 2011

The regular meeting of the Council of the City of Martinsville, Virginia, was held on October 25, 2011, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Kimble Reynolds, Mark Stroud, Sr., Danny Turner, and Gene Teague (arrived at 7:45pm). Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Leon Towarnicki, Robert Ramsey, Wayne Knox, Linda Conover, Donna Odell, Lisa Holiday, Wanda Jessup, Ted Anderson, Andy Powers and Rob Fincher.

Mayor Adkins called the Council meeting to order and Vice Mayor Kimble Reynolds gave the invocation and Pledge of Allegiance to the flag. Before beginning the meeting, Mayor Adkins recognized a Boy Scout in the audience working on his Citizenship in Community badge, Chad Monday, who is the son of Clarence and Stacie Monday.

Proclamations were presented for Extra Mile America Foundation recognizing November 1, 2011 as Extra Mile Day and National College recognizing their 125<sup>th</sup> Anniversary Year.

On a motion by Danny Turner, seconded by Kimble Reynolds, with a 4-0 vote (Teague not present), Council approved the minutes of the September 13, 2011 meeting.

Mayor Adkins and members of City Council formally recognized members of the Martinsville Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for the City of Martinsville by the Government Finance Officers Association of the United States and Canada (GFOA) for its FY2010 Comprehensive Annual Financial Report. Mayor Adkins and Council formally presented the award to the City Manager and Finance Department employees: Linda Conover, Lisa Holiday, Wanda Jessup, and Donna Odell. Finance Department employee Mary Kay Washington could not be in attendance. The Mayor pointed out this is a high honor to receive this award and it is a reflection of the hard work of the finance staff.

Wayne Knox reported the following background information on the proposed urban development areas: As a way to address some of the negative effects of suburban sprawl and strip development, particularly on traffic and transportation, new legislation was adopted in 2007 as Virginia Section 15.2-2223.1 of the Code of Virginia, requiring certain high-growth localities to amend their comprehensive plans to incorporate one or more Urban Development Areas (UDAs). The City of Martinsville received a grant to 1) Amend the Comprehensive Plan to reflect the addition of Urban Development Areas and 2) Amend the Zoning Ordinance to add the UDA overlay district(s). The UDA(s) must be sized to meet projected residential and commercial growth in the locality for the ensuing period of at least 10 years, but not more than 20 years. In addition, federal, state and local transportation, utility, economic development, and other public funding should, to the extent possible, be directed to the UDA(s). UDAs should be established in areas that are appropriate for higher density development due to (a) their proximity to transportation facilities, (b) the availability of public water and sewer infrastructure, and (c) their proximity to existing developed areas.

The Cox Company was retained by VDOT to be the City's Consultant for the UDA study and work. Working with the City, stakeholders, and property owners, the Cox Company identified the Baldwin Block area and the Sara Lee Property as two Urban Development Areas in the City of Martinsville. This designation will encourage mixed-use development and denser residential that is allowed in this district. A duly advertised Public Hearing was held Tuesday, August 30, 2011 during the Planning Commission meeting. One person was present and she spoke about her concerns that whatever was built on the Baldwin Block would reflect the heritage of the community and to keep in mind the national marker already installed that comments on the history. After the hearing, the Planning Commission voted unanimously (5-0) to send the recommendation to City Council to designate the former Sara Lee property and the Baldwin Block as urban development areas and to amend the Land Use Map, Comprehensive Plan and Zoning Ordinance to reflect urban development area guidelines.

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Mr. Todd Gordon with the Cox Company gave a brief overview of the plan noting there will be a total of 51 acres for urban development and this effort is procedural to get Martinsville in line with state legislation to put us in a position for state funding. Mayor Adkins opened the public hearing. Comments: Billy Shelton, 1214 Roundabout Rd.-pointed out there's a lot of dilapidated buildings and houses along Fayette St. at Market St. to Albert Harris; Wayne Knox reported this area will be considered for a future CDBG project. Mayor Adkins closed the public hearing. A motion was made by Gene Teague, seconded by Danny Turner, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye, that Council designate the former Sara Lee property and the Baldwin Block as urban development areas and to amend the Land Use Map, Comprehensive Plan and Zoning Ordinance to reflect urban development area guidelines.

Wayne Knox briefed Council on the amendment to the zoning ordinance adding civil penalties which was approved on 1<sup>st</sup> reading at the October 11, 2011 meeting. On a motion by Kimble Reynolds, seconded by Gene Teague, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye, Council approved the amendment to the Zoning Ordinance adding civil penalties, on second reading, as follows:

**PROPOSED AMENDMENTS – ZONING ORDINANCE**  
(~~Strikethrough~~ indicates deletion; **italicized bold** indicates addition)

SECTION XXII: VIOLATION AND PENALTIES

A. General.

All employees, officials and departments of the city, which are vested with the duty or authority to issue permits or licenses, shall issue permits for uses, building or purposes only when they are in harmony with the provisions of this ordinance. Any such permit, if issued in conflict with the provisions of this ordinance, shall be null and void.

B. Penalties.

*1. Any person, firm or corporation whether as principal, agent, employed or otherwise, violating, causing or permitting the violation of this ordinance, shall be guilty of a misdemeanor, punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). Failure to remove or abate a zoning violation within the specified time period set by the court upon conviction, shall constitute a separate misdemeanor offense punishable by a fine of not less than ten dollars ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00), and any such failure during any succeeding thirty-day period shall constitute a separate misdemeanor offense for each thirty-day period punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00).*

*2. Any person, firm or corporation whether as principal, agent, employed or otherwise, violating, causing or permitting the violation of this ordinance, shall be assessed a civil penalty in the amount of fifty dollars (\$50.00) for the initial summons and not more than two hundred dollars (\$200.00) for each additional summons. The assessment of a civil penalty shall not preclude the institution of a civil action by the zoning administrator pursuant to this ordinance, but no such violation shall, unless it results in injury to any person, be prosecuted as a criminal misdemeanor, provided however that when such civil penalties total five thousand dollars (\$5,000.00) or more, the violation may be prosecuted as a criminal misdemeanor.*

*3. The zoning administrator or his or her designee may issue a civil summons as provided by law for a violation. Any person summoned or issued a ticket for a violation may make an appearance in person or in writing by mail to the city treasurer prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. In any trial for a violation, it shall be the burden of the zoning administrator or his or her designee to show the liability of the violator by a preponderance of the evidence. If the violation remains uncorrected at the time of the admission of liability or finding of liability, the court may order the violator to abate or remedy the violation in order to comply with the zoning ordinance. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within a period of time as determined by the court, but not later than six months of the date of admission of liability or finding of liability. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.*

*4. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any ten-day period, and a series of specified violations arising from the same*

Wayne Knox briefed Council on the Neighborhood Stabilization Program. The Neighborhood Stabilization Program (NSP3), funded by the Congress in the Dodd-Frank Wall Street reform and Consumer Protection Act of 2010, utilizes the Community Development

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Block Grant framework to provide the general guidelines for NSP3. This is the third round of funding under that legislation and the City of Martinsville is the only locality that is eligible for funding. This program is intended to assist localities in restoring residential properties that have been foreclosed on and are now vacant. The Housing Program for the City of Martinsville will operate under a written program design and will be managed by a team of local residents and staff, along with city council representation, local real estate related agencies, a rehab specialist and management consultant. Funding for this program will cover all costs of the program. As part of the requirements for implementing an NSP3 program, the actual program design must be approved by City Council. After lengthy discussion by Council, and with a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council approved the Program Design and authorized the City Manager to execute the contract with DHCD.

Wayne Knox briefed Council on the Industrial Revitalization Fund grant for the Henry Hotel renovation project. An application for funding from the Industrial Revitalization Fund (IRF), which is administered by the Department of Housing and Community Development, was submitted to the State agency on October 13, 2011. It was understood by the representatives of DHCD that City Council would not be approving a resolution for this application until its meeting of October 25, 2011. If everything goes as planned, the Henry Hotel would be out of the City's hands in fall 2012. Council asked that Mr. Ray Gibbs be contacted and advised that City Council would like public updates from him on the status of the Henry Hotel beginning January 2012. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council approved the following resolution:

WHEREAS, the City of Martinsville is the owner of record of the historic "Henry Hotel Building," located on 50 E Church Street in Uptown Martinsville, and;  
WHEREAS, the building was purchased by the City of Martinsville to both preserve the historic structure and to make the building available for redevelopment, and to be a catalyst for new investment in the Uptown area, and;  
WHEREAS, the purchase price for the "Henry Hotel Building" was a total of \$425,000, with a cash payment of \$95,000 and the balance in the form of a loan from The Harvest Foundation (for \$330,000), and;  
WHEREAS, Phoenix Community Development Corporation (Phoenix CDC) was formed to facilitate redevelopment and new investment in distressed areas of the City of Martinsville and Henry County, and;  
WHEREAS, The Harvest Foundation has committed a \$265,000 Grant to Phoenix CDC to assist in covering Predevelopment or Soft-Cost for the initial projects it undertakes, and;  
WHEREAS, Phoenix CDC has already made considerable effort and expended significant funds to complete Environmental, Engineering, Architectural, Market Analysis and Financial Analysis into the feasibility of renovating the Henry Hotel, and;  
WHEREAS, Phoenix CDC has committed a total of \$225,000 of that Predevelopment Grant toward the Soft-Cost of the Henry Hotel Building Renovation, and;  
WHEREAS, The City of Martinsville desires to work with Phoenix CDC toward the renovation of the Henry Hotel Building and is willing to transfer the ownership of the building to Phoenix CDC, with Phoenix CDC assuming the outstanding debt on the property, and;  
WHEREAS, the analysis by Phoenix CDC shows that it is feasible to renovate the building from a physical standpoint, it would not be economically feasible without the use of both various Tax Credit programs and other Grants to fill the financial gaps caused by the local economic conditions, and;  
WHEREAS, considering the City's previous purchase of the building and Phoenix CDC committing \$225,000 of its \$265,000 Harvest Pre-Development Grant toward the renovation of the Henry Hotel Building and together bring the current local funds committed to the renovation project totaling \$650,000, and;  
WHEREAS, This amount meets the minimum required local matching funds for an "2012 Industrial Revitalization Fund (IRF) Grant" at the maximum grant amount of \$600,000, now then;  
HEREBY BE IT RESOLVED, that the City Council of City of Martinsville, does hereby authorize the City Staff to prepare and submit on behalf of the City of Martinsville a "2012 Industrial Revitalization Fund (IRF) Grant Application" to the Virginia Department of Housing and Community Development (DHDC) on behalf of the renovation of the Henry Hotel Building which is owned by the City of Martinsville. Such grant request to total \$600,000, and;  
BE IT ALSO RESOLVED, that if approved by DHCD, the IRF Grant Funds would be used to financially assist in the physical renovation of the Henry Hotel Building, the total renovation cost currently estimated at over \$4.5 million, with Phoenix Community Development Corporation (Phoenix CDC), a 501c3 Non-Profit organization, incorporated in the Commonwealth of Virginia, serving as the Project Developer.  
This Resolution was read and approved by majority vote of the City Council of the City of Martinsville, at its Council Meeting, held on the **25th Day of October in the Year 2011**, and recognized by the Authorized Signature(s) below:

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Ted Anderson and Andy Powers presented information regarding the enforcement of the Property Maintenance and Nuisance Ordinance, specifically regarding back yard enforcement, explaining the process in detail, giving comparisons to other jurisdictions, options for Council's consideration, and the staff recommendation.

<h3>Property Maintenance Scope</h3> <ul style="list-style-type: none"> <li>State Code             <ul style="list-style-type: none"> <li>Open/Unsafe Structures                 <ul style="list-style-type: none"> <li>Dilapidated</li> <li>Structural collapse</li> <li>Fire damaged</li> </ul> </li> <li>Attractive nuisances</li> </ul> </li> <li>Building Maintenance             <ul style="list-style-type: none"> <li>Weather tight</li> <li>Electrical</li> <li>Plumbing</li> <li>Mechanical</li> </ul> </li> </ul>	<h3>Public Nuisance Ordinance Scope</h3> <ul style="list-style-type: none"> <li>High Grass &amp; Weeds</li> <li>Trash &amp; Debris (yard waste)</li> <li>Inoperative Vehicles on the Property (not on street)</li> <li>Public Nuisance Tree</li> <li>Noxious Odors</li> <li>Pools of Water</li> <li>"Public" is Key word, Not "Private" Nuisance Ordinance</li> </ul>	<h3>Current Responsibilities</h3> <p>One Employee Performing</p> <ul style="list-style-type: none"> <li>Property Maintenance Enforcement</li> <li>Nuisance Ordinance Enforcement</li> <li>Fire Inspections</li> <li>Fire Investigations</li> <li>Fire Public Education</li> <li>FF/EMT Fill In as Needed</li> <li>Fire Lane Enforcement</li> <li>Maintain Multiple Certifications</li> <li>Backup to Fire Marshal/Building Official &amp; Combination Inspector II</li> </ul>																																																							
<h3>Consequences of Current Staffing</h3> <ul style="list-style-type: none"> <li>Inability to be Proactive on Fire Inspections &amp; Property Maintenance/Nuisance Ordinance Inspections</li> <li>One Fire Investigation Trumps Everything for Staff Members (dozens of open arson cases presently)</li> <li>Inability to Move Forward on Goals</li> <li>No State Mandated Backflow Preventer Inspections</li> <li>No State Mandated Elevator Inspections</li> <li>Difficulty in Meeting FLSA</li> <li>Inability to Provide Programs for Contractors</li> <li>Pub Ed Suffering (FSH, Hot Shots, Community Events)</li> </ul>	<h3>Department Policies</h3> <ul style="list-style-type: none"> <li>Enforcement Performed From ROW (normal route to entrance of property in question)</li> <li>Other Areas Protected by Fourth Amendment of the United States and Virginia Constitutions             <ul style="list-style-type: none"> <li>Requires owners permission or administrative search warrant</li> <li>Complainants name and sworn statement required as PC on the affidavit to obtain search warrant</li> </ul> </li> <li>Complaint Based System as Always</li> </ul>	<h3>Department Policies (cont.)</h3> <ul style="list-style-type: none"> <li>Anonymous Complaints Not Accepted             <ul style="list-style-type: none"> <li>Vast majority of these were unfounded</li> <li>Most anonymous complaints come from adjoining properties on each other (spitting contest between neighbors)</li> <li>General assembly ruled that complainant information is confidential</li> <li>Name kept in confidence in case needed as a witness or if more information needed related to complaint</li> </ul> </li> </ul>																																																							
<h3>Backlog</h3> <ul style="list-style-type: none"> <li>Average Backlog of Nuisance Complaints             <ul style="list-style-type: none"> <li>20-40 ROW Complaints Pending</li> <li>Have seen backlog of 80+</li> </ul> </li> <li>Perfect scenario of time             <ul style="list-style-type: none"> <li>Investigate complaint on same day received, with 10 day correction period = two-three week completion period</li> </ul> </li> <li>Realistic expectation under current staffing             <ul style="list-style-type: none"> <li>Add backlog to above = greater than two months completion period</li> </ul> </li> </ul>	<h3>Process</h3> <ul style="list-style-type: none"> <li>Call Inspections Department First Verses Other Routes</li> <li>Inspection Department Receives Complaint</li> <li>Place on List in Order in Which Received             <ul style="list-style-type: none"> <li>Regardless of who the complaint is from</li> <li>Safety concerns take priority</li> </ul> </li> <li>Verify Complaint by Site Visit</li> <li>Document Findings             <ul style="list-style-type: none"> <li>Photos</li> <li>Written</li> <li>Database</li> </ul> </li> </ul>	<h3>Process (continued)</h3> <ul style="list-style-type: none"> <li>Issue Notice of Violations via First Class Mail             <ul style="list-style-type: none"> <li>Notice includes violations observed</li> <li>Abatement time limit</li> <li>Appeal rights</li> <li>Contact in formation for department and inspectors</li> <li>Penalties</li> </ul> </li> <li>Await Phone Call From Irate Citizen on Why They Received Letter When There's Worse Places All Over The City</li> <li>Revisit Property After Correction Time has Lapsed</li> <li>If Compliant             <ul style="list-style-type: none"> <li>Log into database as case closed</li> <li>File with address</li> </ul> </li> </ul>																																																							
<h3>Process (continued)</h3> <ul style="list-style-type: none"> <li>If Noncompliant             <ul style="list-style-type: none"> <li>Work order sent to Public Works to abate</li> <li>Public Works addresses as schedule allows</li> <li>Once completed by PW, invoice returned to inspections department for verification and then mailed by finance</li> </ul> </li> <li>Wait for Irate Phone Call From Property Owner Once Bill is Received</li> </ul>	<table border="1"> <thead> <tr> <th></th> <th>Martinsville</th> <th>Henry County</th> <th>Radford</th> <th>Danville</th> </tr> </thead> <tbody> <tr> <td>Population</td> <td>15,416</td> <td>54,151</td> <td>16,408</td> <td>43,055</td> </tr> <tr> <td>Square Miles</td> <td>12</td> <td>382</td> <td>9.5</td> <td>43.9</td> </tr> <tr> <td>PM/Nuisance Inspectors</td> <td>1/2</td> <td>0</td> <td>2 Rental</td> <td>3 Pm 2 Rental 2 Nuisance</td> </tr> <tr> <td>PM Code</td> <td>Yes</td> <td>No</td> <td>Yes (rental)</td> <td>Yes</td> </tr> <tr> <td>Nuisance Ord.</td> <td>Yes</td> <td>Not by inspections</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Full Time Atty.</td> <td>No</td> <td>Yes</td> <td>Yes</td> <td>2</td> </tr> <tr> <td>PM Inspections</td> <td>60</td> <td>0</td> <td>231</td> <td>1800</td> </tr> <tr> <td>Nuisance Insp.</td> <td>587</td> <td>0</td> <td>3</td> <td>3,800</td> </tr> <tr> <td>Backyards</td> <td>No</td> <td>No</td> <td>No</td> <td>Yes (no warrants)</td> </tr> <tr> <td>Proactive</td> <td>No</td> <td>No</td> <td>Yes (rental)</td> <td>Yes</td> </tr> </tbody> </table>		Martinsville	Henry County	Radford	Danville	Population	15,416	54,151	16,408	43,055	Square Miles	12	382	9.5	43.9	PM/Nuisance Inspectors	1/2	0	2 Rental	3 Pm 2 Rental 2 Nuisance	PM Code	Yes	No	Yes (rental)	Yes	Nuisance Ord.	Yes	Not by inspections	Yes	Yes	Full Time Atty.	No	Yes	Yes	2	PM Inspections	60	0	231	1800	Nuisance Insp.	587	0	3	3,800	Backyards	No	No	No	Yes (no warrants)	Proactive	No	No	Yes (rental)	Yes	<h3>Backyard Enforcement Concerns</h3> <ul style="list-style-type: none"> <li>More Likely to Contest (invasion of privacy)</li> <li>Right of Entry</li> <li>Doubling Workload</li> <li>Tripling Time per Case</li> <li>Perception of Big Government Not Addressing Higher Priorities</li> <li>Where Does it Stop             <ul style="list-style-type: none"> <li>Hoarding</li> <li>Inside Homes</li> </ul> </li> <li>Inefficient Use of Already Taxed Resources</li> <li>City Used as Vehicle to Solve (possibly add to) Personal Vendettas</li> </ul>
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<h3>If City Supervises Backyards</h3> <ul style="list-style-type: none"> <li>PM Official Cites</li> <li>City Attorney Prosecutes</li> <li>Penalties set by Ordinance</li> <li>Health &amp; Safety Issues Remain Priority</li> <li>Consider Current Responsibilities of Department</li> </ul>	<h3>Options</h3> <ol style="list-style-type: none"> <li>Abandon Property Maintenance &amp; Nuisance Ordinance Enforcement             <ul style="list-style-type: none"> <li>Place Inspections Back Under Community Development</li> <li>Return Personnel to Fire Department</li> </ul> </li> <li>Continue Current Policy             <ul style="list-style-type: none"> <li>Advise complainant of their options</li> <li>Continue with inability to fulfill present responsibilities efficiently</li> <li>Difficulty complying with FLSA</li> </ul> </li> <li>Continue Current Policy             <ul style="list-style-type: none"> <li>Unfreeze full time PM position allowing for better fulfillment of current job responsibilities (\$42k)</li> <li>Respond more timely</li> <li>Become proactive on fire inspections</li> <li>Become proactive on PM &amp; nuisance ordinance concerns</li> </ul> </li> </ol>	<h3>Options (continued)</h3> <ol style="list-style-type: none"> <li>Start Investigating Backyards With Current Staffing             <ul style="list-style-type: none"> <li>Change Policy to Include Enforcement from Neighbor's Property                 <ul style="list-style-type: none"> <li>Increased Backlog</li> <li>Required duties fall further behind</li> <li>FLSA made more difficult to comply</li> <li>More complaints on work not getting done</li> </ul> </li> </ul> </li> <li>Start Investigating Backyards With Additional Staffing             <ul style="list-style-type: none"> <li>Change Policy to Include Enforcement from Neighbor's Property                 <ul style="list-style-type: none"> <li>Would require adding at least one position (two positions optimum)</li> <li>Would realign positions to become more efficient and effective</li> <li>Would Require More Legal Consultation From City Atty.</li> </ul> </li> </ul> </li> </ol>																																																							



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Business from the floor: City Attorney Eric Monday stated the pre-filing date for legislation is December 5 and requested Council's input be sent to him and he will obtain position statements from VML and Virginia First Cities.

Council comments: Turner-Canadian friends are in town for the race; Teague-apologies for his late arrival; Stroud-stated he read the proclamation for Ms. Estes at Blue Ridge Rehab.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Gene Teague, seconded by Mark Stroud, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) The condition, acquisition, use or disposition of real property as authorized by Subsection 3. (B) Appointments to boards and commissions as authorized by Subsection 1. (C) A personnel matter as authorized by Subsection 1.

Martinsville City Council then recessed as City Council and convened as Martinsville Redevelopment and Housing Authority.

Wayne Knox briefed Council on the resolution required regarding Section 8 Minimum Rent Amendment. Following the 30-day comment period, the MRHA must approve the requested Administrative Plan amendment. This change would include frequent special examinations for households indicating that they have zero income. In addition, the minimum monthly rent is to be \$50.00, rather than the previous \$25.00. There have been no written comments received at the Housing office, nor the Community Development office. Several telephone calls were received from persons requesting clarification of the amendment. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, the members of the Martinsville Redevelopment Housing Authority approved the following resolution:

**RESOLUTION--HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN AMENDMENT**

**Whereas**, 24CFR 982.54 requires that the administrative plan and any revisions of the plan must be formally adopted by the MRHA's Board of Commissioners after the 30 day comment period;

**Whereas**, the updated Administrative Plan must be available for public view during its regular business hours;

**Whereas**, the MRHA Plan Element Number 3, Rent Determination under Item 6.0 MRHA Plan Update, includes a minimum rent of \$50.00; now therefore,

**BE IT RESOLVED, by the Board of Commissioners of the Martinsville Redevelopment and Housing Authority,**

1. That the families reporting no income will be required to execute verification forms to determine which forms of income are not received, and be subject to frequent special examinations and;
2. That the Martinsville Redevelopment & Housing Authority has set the minimum monthly rent as \$50.00.

On a motion by Gene Teague, seconded by Mark Stroud, with a 5-0 vote, the Martinsville Redevelopment Housing Authority adjourned.

Prior to going into Closed Session, Martinsville City Council re-convened.

At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during Session. On a motion by Gene

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Teague, seconded by Mark Stroud, with the following recorded 5-0 vote: Adkins, aye; Reynolds, aye; Teague, aye; Stroud, aye; and Turner, aye, Council returned to Open Session.

Actions taken: On a motion by Mark Stroud, seconded by Gene Teague, with a 5-0 vote, Council appointed Colby Sarver, 364 Ferndale Drive, Collinsville, as student representative on the Transportation Safety Commission for a one year term ending 6/30/12. On a motion by Kimble Reynolds, seconded by Gene Teague, with a 5-0 vote, Council appointed Tony Jones, 612 Third St., to an unexpired term ending 6/30/12 on the Planning Commission.

On a motion by Danny Turner, seconded by Mark Stroud, with the following recorded 5-0 vote: Adkins, aye; Reynolds, aye; Teague, aye; Stroud, aye; and Turner, aye, Council agreed to sell the former DSS building located at 20 E. Church Street, Martinsville, to Steve Rucker for \$100,000 subject to the condition that said sale shall not require the City to renew, upon expiration of the lease, the lease for parking spaces located at the rear of the building.

Date: October 7, 2011

To: Mr. Summerlin, General Manager Henry County  
Henry County Administration Building  
3300 Kings Mountain Road, POB 7, Collinsville, VA 24078

Mr. Clarence Monday  
Manager - Martinsville  
55 W. Church Street, Martinsville, VA 24112

Subject: Offer to Purchase Property - 20 E. Church Street, Martinsville, VA 24112

Please find below a proposal to purchase the property located at 20 E. Church Street, Martinsville, Virginia 24112, the old social services building.

After many months of deliberation and thought, my wife and I have decided to move forward with this offer and take the risk to invest in our community.

I currently manage an engineering consulting firm that supports the telecommunication industry nationwide. My plan to grow the business has already exceeded my three year projection, in just nine months. I have created fifteen local jobs that earn between \$26,000 and \$50,000 a year, and plan on doubling that work force by year end 2012 and then growing exponentially over the next two years. I plan to move this growing professional business into the ground floor of the building. The space will be converted into office and work space for 40 plus employees and a training facility for various types of telephony services, from equipment installation to engineering. This training space could also be a shared resource to provide technical classroom facilities for the New College Institute.

On the Church Street level, my plan is to convert the front of the building back to its original 1930's retail facade, with plate glass windows. This floor will be utilized as retail space for an antique/collectables shop. This, in my opinion along with the existing historical and natural history anchors within the community, will promote tourism and bring visitors to come stroll the city streets, eat in local restaurants, visit the museums, and make purchases in local businesses.

On the Mezzanine, my plan is to convert this space into a technology museum. Here displays of technical advancement in communications and other related technologies will be displayed to demonstrate the wonderment of human creativity in technology.

Finally, the top floor, a later phase, will be converted into five to six loft apartments.

My timeline for the initial occupancy is March, 2012 for the ground floor. The Church Street retail level and the Mezzanine museum level to be completed by August, 2012 and open for use by year end 2012. This initial phase will require redesign of the electrical service for 10 meters and replacement of the existing HVAC system to create separate zones and greater efficiencies than the gas and water cooled

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system that currently exists. Also much work will be required on the plumbing and to address the existing moisture problems to meet the new purposing of the building.

This is a cash offer of \$100,000, for the property in its "as is" state, with a requested acceptance date of November 1, 2011 and a closing date on or before November 14, 2011.

The only requests I have at this point, is a clear title and evidence that all liens are satisfied (including utilities), and that the City provide initial approval for my intended use of the property: residential, retail and professional/commercial space as listed above, and conveyance of parking spaces that adjoins the building and the documentation that authorizes use of the parking lot spaces in the rear of the property.

Although this may be considered a risky investment, under the current economic environment, I feel that my proposal will greatly benefit the community at large. I am focused on success and want to be a contributor in our community's future.

Thank you for your time and consideration. I look forward to working with you in the future.



Steve Rucker

306 Firestone Drive, Stanleytown, VA 24168

Phone: 276-627-1924 Cell: 276-224-3259

There being no further business, the meeting adjourned at 10:38 PM.

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Clarence Monday  
Clerk of Council

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Kim Adkins  
Mayor