

November 13, 2012

The regular meeting of the Council of the City of Martinsville, Virginia, was held on November 13, 2012, in Council Chambers, Municipal Building, at 7:30 PM, Closed Session beginning at 7:00PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud and Danny Turner. Council Member-Elect Sharon Hodge was also present. Staff present included: Leon Towarnicki, Interim City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Mike Scaffidi, Susan McCulloch, Chris Morris, Mike Rogers, Kris Shrader, and Kenneth Draper.

Mayor Adkins called the meeting to order and advised Council will go into Closed Session. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Danny Turner, seconded by Gene Teague, with the following 4-0 recorded vote: Adkins, aye; Reynolds, aye; Teague, aye; and Turner, aye, (Stroud not present for vote in) Council convened in Closed Session, for the purpose of discussing the following matters: (A) A prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community as authorized by Subsection 5. (B) A personnel matter as authorized by Subsection 1. Council then recessed Closed Session and continued Regular Session.

Following the invocation by Mayor Kim Adkins and Pledge to the American Flag, the Mayor welcomed everyone to the meeting.

Minutes: A motion was made by Gene Teague, seconded by Mark Stroud, with a 5-0 vote, to approve the minutes of October 9, 2012 and October 23, 2012 as presented.

Public hearing-Fayette Street parking lot: Phoenix CDC has developed preliminary information regarding an approximate \$5 million multi-story, multi-use building project that will involve redevelopment of the City-owned Fayette Street parking lot. Several building options are being considered to place a new structure toward the front of the lot facing Fayette Street, with the remainder of the parking lot including the existing school bus garage being redeveloped for continued use as City-maintained public parking. The CDC has participated in several meetings with business and property owners in an effort to address concerns regarding impact of the project. Ray Gibbs, PCDC President and CEO presented information on the project including intended use, financing, and a possible project schedule at the October 23, 2012 Council meeting. Development of the project is contingent upon the City conveying the property to the CDC with the entire site to be developed including parking and the CDC will lease back to the City the parking areas for continued use as City-maintained public parking. Ray Gibbs and Nancy Spilman briefed Council on the Phoenix project and Mr. Gibbs asked that Council table the Phoenix request regarding conveyance of the parking lot advising that Phoenix is not willing to move forward with this project at the present time. He indicated to Council his timeline to present to Council will be end of December or first of January 2013.

Mayor Adkins then opened the public hearing. Comments: Tony Millner, 109 Jones St.-concerns about lack of parking for current businesses and customers; Barbara Shively of Prillaman's Meat Market-concerns about need for parking for her business and other businesses; Louise Schoolfield, 159 Patricia Rd.-on behalf of Triple S. Beauty Salon-concerns about parking needs for elderly clients; Naomi Hodge Muse of NAACP-comments that building is not logical and need is not there for more apartments. Mayor Adkins closed the public hearing. City Council members agreed to table the Phoenix request.

Arts & Cultural District incentives: Susan McCulloch briefed Council. On September 20, 2012, after holding a duly advertised public hearing, Planning Commission voted 4-0 upon the recommendation and

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recommended it be submitted to City Council. The members of the Arts & Cultural Committee recommend that those businesses not already covered by Enterprise Zone benefits be allowed to apply local Enterprise Zone benefits for arts- and/or cultural-related businesses, calling the benefits "Arts & Cultural District Incentives". Local Enterprise Zone incentives would remain in place in the Enterprise Zone. Businesses would not be allowed to apply for both Enterprise Zone benefits and Arts & Cultural District Incentives at the same time. During its May 29, 2012 regular meeting, the Arts & Cultural Committee voted unanimously (5-0) to recommend that Planning Commission hold a public hearing to gather public input on this issue. The Committee discussed potential incentives to entice new arts- and/or cultural-related businesses into the district. The existing local benefits for the Enterprise Zone are competitive benefits that have been in place since 2008. Entrepreneurs and property owners have indicated that they are a great help when starting operations in the Zone. The overlay for the Arts & Cultural District is almost completely within the Enterprise Zone, except for 455 parcels on Market Street and Fayette Street.

Mayor Adkins opened the public hearing. Hearing no public comments, Mayor Adkins closed the public hearing. On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the staff recommendation to offer the same benefits that are in the Enterprise Zone to Arts & Cultural related businesses that locate or expand in the Arts & Cultural District that are not already covered in the Enterprise Zone.

Recognition Deputy Chief Kris Shrader: Fire Chief Kenneth Draper briefed Council on the recent certification of Deputy Chief Kris Shrader. Deputy Chief Shrader has completed a four year program at the National Fire Academy and is being awarded his Executive Fire Officer Program certificate. The Executive Fire Officer Program (EFOP) is an initiative of the United States Fire Administration/National Fire academy designed to provide officers in key leadership roles with an understanding of:

- the need to transform fire and emergency services organizations from being reactive to proactive; with an emphasis on leadership development, prevention, and risk reduction.
- Transforming fire and emergency services organizations to reflect the diversity of America's communities;
- The value of research and its application to the profession; and
- The value of lifelong learning.
- Enhanced executive-level knowledge, skills, and abilities necessary to lead these transformations, conduct research, and engage in lifelong learning.

The officers enhance their professional development through a unique series of four graduate and upper-division-baccalaureate equivalent courses. The EFOP spans a 4-year period with 4 core courses. Each course is 2 weeks in length. To graduate from the EFOP, participants must write and submit a graduate-level Applied Research Project (ARP) that relates to their organization after each course. Each ARP is highly scrutinized and graded by an external evaluator. The ARP must be completed within six months from the end of each EFOP class and must receive a minimum passing score before the student can take the next class in the series. Only after all four classes have been completed and all four ARP's have received passing grades is the EFOP certificate awarded to a student. To date, Deputy Chief Shrader is the second Martinsville Fire & EMS employee to complete the Executive Fire Officer Program. Former Fire Chief and City Manager Clarence Monday was the first from our department to complete this program. All of our Chief Officers in the department are currently enrolled in the program.

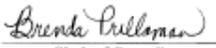
Update on possible expansion of fiber optic system: Leon Towarnicki briefed Council on the possible expansion of the City's fiber optic system. As has been mentioned at previous Council meetings, the City has contracted with a consultant for the development of a business plan to review options related to possible expansion of the City's fiber optic system. The system currently provides a combination of telephone and Internet services for many City facilities as well as a number of private businesses. Mr. Towarnicki summarized information in a report received from CCG Consulting, LLC, the firm retained for the project, regarding opportunities for growth/expansion of the system, possible costs related to such an expansion, and

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how such an expansion might be implemented. The entire report from the consultant will be made available to Council and posted on city website for future consideration and action.

Martinsville Mustangs management contract: Leon Towarnicki briefed Council on the Mustangs management contract. As the 2012 Mustangs baseball season was underway, City staff considered options for future management of the team since the current General Manager opted not to return for the 2013 season. The General Manager's position was advertised and during that process, staff discussed options for privatization of management with the Coastal Plain League staff. A Request for Proposals for management services was advertised and one proposal was received from Team Cole & Associates, based in Gastonia, NC. Team Cole & Associates has successfully managed both the Gastonia Grizzlies and Forest City Owls of the Coastal Plain League over the past several seasons and is enthusiastic and excited about an opportunity to work likewise, with the Martinsville Mustangs. He presented details of the proposal and details on the draft contract with Team Cole & Associates. Jesse Cole and Ken Silver of Team Cole & Associates also spoke to Council and answered questions. Council comments—Teague-baseball is important for the community and he will support this partnership as he sees it as another good attempt to be successful; Reynolds-feels entertainment is not a function of government and will not be supporting this; Stroud-this is a good way to get through the next baseball season and have a better product and move city out of entertainment business and he will support; Adkins-pointed out that Council has already approved the MOU and now this contract just needs wordsmithing. Mr. Towarnicki advised he will get the final version of the contract to council via email and the contract can be ratified at the November 26, 2012 Council meeting. On a motion by Gene Teague, seconded by Danny Turner, with a 4-1 vote (Reynolds voting nay), Council authorized the City Manager to finalize the baseball contract document and execute the contract subject to ratification by Council at their next meeting.

Resolution VDOT Revenue Sharing for Uptown Paving Project-Phase I: Chris Morris briefed Council on a resolution for Uptown Paving Project with VDOT FY2014. Uptown revitalization enhancements have determined that Church, Main, Bridge, Walnut, Lester, and Clay Streets in the Uptown area are in need of repair due to deteriorated pavement conditions. New crosswalks are needed at all intersections. The City can enter into a cost sharing agreement with VDOT to pay for 50% of the costs of these repairs and improvements. On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council approved the following resolution:

<p><u>RESOLUTION</u></p> <p>A RESOLUTION OF INTENT TO PARTICIPATE IN THE FY 2014 VDOT REVENUE SHARING PROGRAM FOR THE PHASE I UPTOWN REPAVING PROJECT</p> <p>WHEREAS, the City of Martinsville desires to submit an application for an allocation of funds of \$450,000 (\$225,000 state and \$225,000 city) through the Virginia Department of Transportation Fiscal Year 2013-14 Revenue Sharing Program; and,</p> <p>WHEREAS, \$225,000 of these funds are requested to fund the Phase I Uptown Repaving Project (0.93 mi.); and,</p> <p>THEREFORE, BE IT RESOLVED, that the City of Martinsville hereby supports this application for an allocation of \$450,000 (\$225,000 state and \$225,000 city), through the Virginia Department of Transportation Revenue Sharing Program; and,</p> <p>BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute, on the behalf of the City of Martinsville, all necessary agreements required in conjunction with said project.</p> <p>Adopted this 13th day of November 2012</p> <p style="text-align: center;">*****</p> <p>ATTEST:</p> <p> Clerk of Council</p> <p style="text-align: right;">November 13, 2012 Date</p>

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Update on VDOT FY2014-2019 Six Year Improvement Program: Leon Towarnicki briefed Council on updates to the City's priority list of future transportation projects. Localities have an opportunity annually to present to the Commonwealth Transportation Board their respective lists of prioritized future highway transportation projects that eventually, depending on available funding, are included in VDOT's Six Year Improvement Program for construction. West Piedmont PDC typically presents the projects of its member localities at the Commonwealth Transportation Board hearings and will do so again this year. Written comments may be submitted until November 30, 2012. Council was presented with a list of the City's current highway construction priorities that essentially has remained unchanged for a number of years and was presented in the spring of 2012 as well as a draft outlining several changes recommended by staff in the City's priority list. After Council discussion, a motion was made by Gene Teague, seconded by Danny Turner, with a 5-0 vote to approve the revised priority list.

Draft: The following priorities for the City of Martinsville have not been approved by City Council. Following the presentation, formal comments will be submitted by the City.

EXHIBIT A

West Piedmont Area List of Priority Projects
for Salem & Lynchburg Construction Districts
Six-Year Improvement Program
VDOT/Commonwealth Transportation Board
Martinsville

- 1.Reconstruction of the Commonwealth Boulevard Bridge over the Norfolk Southern Railway, Structure #1803.
- 2.Complete the remaining leg of the Liberty Street (Route 174 improvement project consisting of improvements to Liberty Street from Clearview Drive south to Commonwealth Boulevard;
Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan
VA 174 from North York Street to North Longview Street
Short-term widen to five lanes.
- 3.(A) Widen and realign the section of Fayette Street (Route 57) from Pine Hall Road west to the Norfolk and Western Railroad underpass including curb, gutter, and sidewalk. Also, as a second phase, (B) replace the Norfolk and Western Railroad underpass and widen and realign the section of Fayette Street (Route 57) from the Norfolk and Western Railroad underpass to the corporate limits including curb, gutter, and sidewalk.
Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan
Fayette Street under Norfolk Southern Railroad
Long-term widen to four lane facility and replace underpass.
Specific Project as identified in the 2020 Martinsville-Henry County Small Area Urban Transportation Plan
Fayette Street under Norfolk Southern Railroad
Long-term widen to four lane facility and replace underpass.
- 4.Endorsement for the Interstate 73 project.
Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan
I-73 from North Carolina State Limit to Franklin County Limit (Henry County)
Long-term construct new facility, four lanes with median.
I-73 from VA 40 to VA 635 (Franklin County)
Long-term construct new facility, four lanes with median.
- 5.Endorsement for completion of U.S. Route 58 westward to its intersection with Interstate 77.
Specific Projects as identified in the 2035 Rural Long-Range Transportation Plan
US 58 / US 220 at bridge over Smith River
Mid-term replace westbound direction with two lane structure.
US 58 West at VA 684 (Carver Road)
Mid-term implement access management to clearly define access points to gas station along US 58 and VA 684. Continue to monitor intersection for impact of rumble strips along westbound approach. Consider signalization, when warranted, to provide gaps for Carver Rd and Friendly Church Rd traffic. Long-term lower roadway profile of westbound approach.
US 58 from Floyd County Limit to VA 600 (Patrick County)
Long-term widen to four lanes with median.
US 58 from East US 58 Bypass to West US 58 Business (Patrick County)
Long-term widen to four lanes with median.
US 58 Business at US 58 Bypass (Jeb Stuart Bypass) (Patrick County)
Short-term relocate stop control on southbound approach of the connector road from US 58 Bypass to US 58 Business (Jeb Stuart Highway). Long-term reconstruct intersection to improve connectivity.
US 58 from West Ramps Blue Ridge Parkway to East US 58 Bypass (Patrick County)
Long-term widen to four lanes with median.

Discussion 2013 City Legislative Agenda discussion: City Attorney Eric Monday presented a proposed legislative agenda for Council discussion. He reported that pre-filing for specific legislation is December 7, 2012. Most mandates (funded and unfunded) are addressed through modification of the state budget, may not require individual bills, and could be addressed during the General Assembly session. Council will email

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the City Attorney their comments so the final 2013 Legislative Agenda can be presented for final approval at the November 27, 2012 Council meeting.

Consent Agenda: On a motion by Gene Teague, seconded by Mark Stroud, with a 5-0 vote, Council approved the following consent agenda:

BUDGET ADDITIONS FOR 11/13/12				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY13				
General Fund:				
01100908	480410	Misc. Revenue - Donations/Fire Department		350
01321102	505500	Fire Dept. - Travel & Training Annual Donation - M. Sutton Memorial Foundation	350	
01100909	490104	Advance/Recovered Costs		7,265
01331108	501300	Sheriff/Corrections - Part-time & Temporary Wages	5,290	
01331108	502100	Sheriff/Corrections - Social Security	328	
01331108	502110	Sheriff/Corrections - Medicare	77	
01331108	506008	Sheriff/Corrections - Vehicle Equipment & Maint.	1,058	
01331110	506200	Sheriff/Annex - Prisoner Allowance Reimbursement from Henry County for litter pickup	512	
Total General Fund:			7,615	7,615

Business from floor: Alexis Lee, 127 Sellers St.-thanked Council for addressing civility in rules for speaking from the floor and encouraged Council to consider conflict resolution at a planning session; Tony Millner, 109 Jones St.-concerns regarding sidewalk needs on Pine Hall Rd.; Linda Conover, City Finance Director—comments regarding revitalizing and encouraging participation in the Good Neighbor fund to provide assistance to aged, infirmed and low-income citizens.

Council comments: Stroud-thanked voters for their support in his re-election and asked for prayers for the Gower family; Teague-offered congratulations to winners of Council election, Sharon Hodge, Mark Stroud, and Danny Turner; Turner-thanks to voters for his re-election, reminder about Christmas Parade on Saturdays, and condolences to family of D-Day veteran from Greyson St.; Adkins-asked Council to consider a City Outstanding Veteran Award similar to one given in County and Mr. Towarnicki was directed to contact the County for selection process and forms to pursue this for the city.

City Manager comments: Mr. Towarnicki commented on Liberty St. project status, Christmas Parade Uptown, water line replacement on Beverly Way, Thanksgiving holiday schedule, Neighborhood Tour and Meeting for November, and flower bed on front lawn done by Cari Zimmer.

Closed Session: Council then re-convened Closed Session. 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 Kimble Reynolds, 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. No action was taken.

There being no further business, the meeting adjourned at 11:09 pm.

Brenda Prillaman, Clerk of Council

Kim Adkins, Mayor