

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:00 pm CLOSED SESSION **7:30 pm regular session**
October 8, 2013

7:00--Closed Session

1. Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:
 - A. Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7.

7:30—Regular Session

Invocation & Pledge to the American Flag-Vice Mayor Gene Teague

1. Consider approval of City Council meeting minutes of August 27, 2013. (2 mins)
2. Presentation of proclamation regarding Extra Mile Day. (3 mins)
3. Presentation of proclamation regarding 100th Anniversary of Woman’s Book Club of Martinsville. (3 mins)
4. Presentation of resolution in memory of the late Chairman of the Pittsylvania County Board of Supervisors Marshall Eckers. (3 mins)
5. Conduct a public hearing and consider approval of ordinance, on second reading, regarding home child care zoning amendment. (5 mins)
6. Hear an update from Martinsville-Henry County Economic Development Corporation. (10 mins)
7. Consider approval of Resolution – Election Not to Participate in Virginia Local Disability Plan. (5 mins)
8. Consider approval of employee payroll deduction computer purchase program. (5 mins)
9. Consider approval of consent agenda. (2 mins)
10. Business from the Floor
This section of the Council meeting provides citizens the opportunity to discuss matters, which are not listed on the printed agenda. In that the Council meetings are broadcast on Martinsville Government Television, the City Council is responsible for the content of the programming. Thus, any person wishing to bring a matter to Council’s attention under this Section of the agenda should:
 - (1) come to the podium and state name and address;**
 - (2) state the matter that they wish to discuss and what action they would like for Council to take;**
 - (3) limit remarks to five minutes;**
 - (4) refrain from making any personal references or accusations of a factually false and/or malicious nature.****Persons who violate these guidelines will be ruled out of order by the presiding officer and will be asked to leave the podium.**
Persons who refuse to comply with the direction of the presiding officer may be removed from the chambers.
11. Comments by members of City Council. (5 minutes)
12. Comments by City Manager. (5 minutes)



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes of City Council meeting August 27, 2013.

Summary: None

Attachments: August 27, 2013

Recommendations: Motion to approve minutes as presented

August 27, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held on August 27, 2013, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Gene Teague, Mark Stroud and Danny Turner. Council Member Sharon Brooks Hodge participated remotely in the meeting. Staff present included: Leon Towarnicki, City Manager, Brenda Prillaman, Eric Monday, Linda Conover, and Ruth Easley.

Following the invocation by Vice Mayor Gene Teague and Pledge to the American Flag, the Mayor welcomed everyone to the meeting. Mayor Adkins recognized Boy Scout Lucas Adams who was present to work toward his Eagle Scout badge.

Minutes: On a motion by Gene Teague, seconded by Mark Stroud, Council approved the minutes of the July 9, 2013 meeting.

Residency resolution and ordinance: Mayor Adkins read the following Code Section pertaining to allowing a Council member to participate in the meeting, including voting, by electronic means from a remote location and disclosed that Council Member Hodge is unable to be in attendance at this Council meeting and is in California due to a business trip:

§ 2.2-3708.1. Participation in meetings in event of emergency or personal matter; certain disabilities; distance from meeting location for certain public bodies.

A. A member of a public body may participate in a meeting governed by this chapter through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting (a) approves such member's participation by a majority vote of the members present at a meeting and (b) records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting (a) approves such member's participation by a majority vote of the members present and (b) records in its minutes the remote location from which the member participated.

B. Participation by a member of a public body as authorized under subsection A shall be only under the following conditions:

1. A quorum of the public body is physically assembled at the primary or central meeting location; and

2. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

A motion was made by Gene Teague, seconded by Mark Stroud, to allow Council Member Hodge to participate by phone and vote as per the above noted Code Section. Mr. Turner stated the reasoning does not raise to the level of the Code; Mr. Teague stated the intent of the legislation was to allow elected officials to participate and it does not have to be an emergency; City Attorney Eric Monday stated the intent of the law was to allow participation due to distance from the meeting. With the following 3-1 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; and Turner, nay, Council agreed to allow Council Member Hodge to participate in the meeting remotely (by telephone).

City Attorney Eric Monday briefed Council on the ordinance and the resolution regarding the residency issue. Mayor Adkins asked for public comments: Ural Harris, 217 Stuart St., commented that he is against repealing the ordinance and feels employees need to have a stake in the city. Council comments: Turner-has received citizen comments preferring that the residency requirement remain in place; Stroud-has received citizen comments asking that the residency requirement remain in place and he feels the ordinance should not be changed; Teague-has received citizen contacts not in favor of changing the ordinance, but he feels it is in the best interest of the taxpayers who are paying the bills to repeal the ordinance-he asked that text on the proposed resolution be amended to include language that if a department head decides to sell their house and move while serving as department head, that they must move to the city; Turner-wants to add language that department heads must live within a certain number of miles; Hodge-has also received citizen comments and she feels the resolution should not be amended

August 27, 2013

any further as far as the mileage issue as this should be part of the position's job description. A motion was made by Gene Teague, seconded by Sharon Brooks Hodge, to modify the resolution language that in the event a department head employed by the City at any time changes residence while so employed, he or she shall be required to obtain residency in the City as a condition of continued employment. Mr. Turner made a substitute motion to add the mileage requirement. Mr. Turner's substitute motion died for lack of a second. With a voice vote of 3-2, Council agreed to amend the residency resolution with the language above regarding a department head changing residence during employment. Mr. Stroud and Mr. Turner voted against amending the resolution. On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with the following 3-2 recorded vote: Adkins, aye; Teague, aye; Hodge, aye; Stroud, nay; and Turner, nay, Council agreed to approve the following ordinance to repeal the residency requirement:

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE NO. 2013-7

REPEAL OF RESIDENCY REQUIREMENT

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled on August 27, 2013, that section 2-3 of the Code of the City of Martinsville, be repealed:

Sec. 2-3. - Residency required for certain employees.

The city manager, the city attorney, the assistant city manager and the head of any department of the city established pursuant to the Charter, the City Code, or resolution of the city council shall establish residence within the corporate boundaries of the city no later than twelve (12) months after the commencement of employment and shall thereafter maintain residence within the corporate boundaries of the city during the term of his or her employment. The city manager may make exceptions to the requirements established hereby when unusual or extraordinary conditions exist that would constitute a hardship for an applicant. A determination as to whether such employee resides in the city shall be made by the city manager, with the exception of the city manager's residency, which shall be determined by the city council. This section shall apply to any new employee and to any existing employee subsequently promoted to an office or position affected hereby. This section shall not apply to any person employed in an office or position affected hereby if such person was so employed prior to this section's enactment, nor shall it apply to any person employed by the city at least fifteen (15) years prior to this section's enactment. Violation of this section shall result in termination of employment.

Repealed.

Ord. No. 2013-7 (08/27/2013)

Attest:

Brenda Prillaman

Brenda Prillaman, Clerk of Council

August 27, 2013

Date Adopted

September 6, 2013

Date Effective

August 27, 2013

On a motion by Gene Teague, seconded by Mark Stroud, with a 4-1 vote (Turner-nay), Council agreed to adopt the following resolution regarding employee residency as amended:

RESOLUTION

WHEREAS, the Council of the City of Martinsville adopted on October 26, 2004 an ordinance amending Section 2-3 of the City Code, requiring residency within the City for certain employees of the City; and

WHEREAS, Section 2-3 provides that officials subject to the ordinance may be set forth by resolution of the City Council; and

WHEREAS, the City Council has, concurrently with this resolution, voted to repeal that ordinance; now, therefore

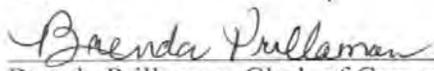
BE IT RESOLVED, by the City Council of the City of Martinsville Virginia, convened in regular session on August 13, 2013, that its prior resolution dated October 26, 2004, listing specific offices subject to the residency requirements set forth in Section 2-3 of the City Code is hereby rescinded.

BE IT FURTHER RESOLVED, that notwithstanding the repeal of the ordinance and the rescission of the resolution, Council desires that when the City fills employment vacancies, in the event of applicants of similar qualifications, preference for employment be given to the applicant having residency in the City, expressing a binding intention to obtain residency in the City upon employment, or accepting the requirement of residency in the City as a condition of employment.

BE IT FURTHER RESOLVED, that in the event a department head employed by the City at any time changes residence while so employed, he or she shall be required to obtain residency in the City as a condition of continued employment.

* * * * *

Attest:


Brenda Prillaman, Clerk of Council

August 27, 2013
Date Adopted

Council Member Hodge left the meeting at 7:59pm terminating the remote telephone connection.

Employee Service Awards: Mayor Adkins read the following list recognizing City Employees and Constitutional Employees eligible for Service Awards from July 1, 2013 through September 30, 2013:

Andy Powers	Fire Department	5
Eric Eggleston	Police Department	5
Marcus Gravely	Police Department	5
Reva Stockton	Sheriff's Department	5
Cecil Lowe	Housing/Community Development.	10
Tammy Davis	Inspections	10
Brenda Eggleston	Sheriff's Department	15
Sharon Echols	Utility Billing	25
James Minter	Police Department	30
Douglas Huston	Public Works	35

August 27, 2013

Proclamation National Day to Serve: Mayor Adkins read the proclamation recognizing National Day to Serve September 2013. City Manager Leon Towarnicki briefed Council on events being planned by city employees for the Day to Serve projects through Grace Network, Red Cross, and Neighborhood cleanups.

Proclamation Baby Safety Month: Mayor Adkins read the proclamation recognizing Baby Safety Month and made the presentation to Teresa Prillaman of the Martinsville Exchange Club.

Proclamation National Payroll Week: Mayor Adkins read the proclamation recognizing National Payroll Week September 2-6, 2013.

Set public hearing regarding home child care zoning amendment: City Attorney Eric Monday briefed Council on the amendments to the Zoning Ordinance related to home child care. Staff recommends that City Council consider setting a public hearing for Tuesday, September 24, 2013 on the proposed amendment to the Zoning Ordinance. Mayor Adkins recognized Mrs. Sharon Martin of Martin Family Day Center and congratulated her on the recognition from the Virginia Star Quality Initiative. On a motion by Gene Teague, second by Mark Stroud, with a 3-0 vote (Adkins-abstained), Council set the public hearing for September 24, 2013. Mayor Adkins abstained from this vote as she is subcontracted to work with Smart Beginnings.

Resolution setting allocation percentage PPTRA: After comments from the Commissioner of Revenue, a motion was made by Gene Teague, seconded by Mark Stroud, with a 4-0 vote, to adopt the following resolution setting the allocation percentage for personal property tax relief for qualifying vehicles at 57.51% to fully use all state PPTRA funds allocated the City of Martinsville for tax year 2013:

RESOLUTION
SETTING THE ALLOCATION PERCENTAGE FOR PERSONAL PROPERTY TAX RELIEF IN THE CITY OF MARTINSVILLE FOR TAX YEAR 2013

WHEREAS, on December 13, 2005 by Ordinance 2005-8 the Martinsville City Council established a local program of tax relief that serves the best interests of its citizens regarding personal property tax on qualifying use vehicles, pursuant to modifications made by the General Assembly of Virginia to the Personal Property Tax Relief Act of 1998 (PPTRA); and

WHEREAS, the city's relief program requires the city council to adopt an annual percentage of local tax relief for personal use vehicles valued between \$1,001 and the first \$20,000 that will fully exhaust the PPTRA relief funds provided to the City by the Commonwealth of Virginia; and

WHEREAS, the Commissioner of the Revenue has completed the annual assessment of motor vehicles with Martinsville tax situs for Tax Year 2013; and

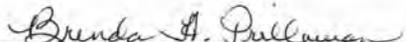
WHEREAS, the Commissioner of the Revenue estimates that a percentage of relief of 57.51% applied to the first \$20,000 of assessed values for qualifying vehicles valued over \$1,000 will fully use all available state PPTRA relief allocated for tax year 2013.

NOW, THEREFORE BE IT RESOLVED by the Martinsville City Council that 57.51% shall be the percentage of relief to be applied to the first \$20,000 in value of each qualifying vehicle with an assessed value more than \$1,000 pursuant to and in accordance with provisions of Sec. 21-10 of the Martinsville City Code.

Adopted this 27th day of August 2013.



 Kim E. Adkins, Mayor

ATTEST: 

 Clerk of Council

Consent agenda: On a motion by Gene Teague, seconded by Mark Stroud, with a 4-0 vote, Council approved the following consent agenda:

BUDGET ADDITIONS FOR 8/27/13				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY13				

August 27, 2013

General Fund:				
01101917	442402	Categorical Other State - Confiscated Assets - C Atty		119
01221082	506105	Comm Atty - Conf Assets State	119	
01101917	442401	Categorical Other State - Confiscated Assets - Police		358
01311085	506078	Police Dept - Conf Assets State	358	
		sale of seized vehicle processed through DCJS		
01100909	490104	Advanced/Recovered Costs		3,000
01711210	501300	Recreation - Part-time & Temporary	3,000	
		Funds from NCI for summer intern		
Total General Fund:			3,477	3,477

BUDGET ADDITIONS FOR 8/27/13				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY14				
General Fund:				
01100909	490104	Advance/Recovered Costs		125
01321102	506130	Fire Dept. - Repair/Maint - Burn Building	125	
		Reimbursement from Patrick County		
01100908	480410	Miscellaneous - Donations/Fire Department		500
01321102	506112	Fire Dept. - Fire Supplies	500	
		Donation		
01100909	490104	Advance/Recovered Costs		100
01412141	506001	Engineering - Office Supplies	100	
		Reimbursement - Copies of Plans		
1101917	442402	Categorical Other State - Confiscated Assets - C Atty		112
1221082	506105	Comm Atty - Conf Assets State	112	
1101917	442401	Categorical Other State - Confiscated Assets - Police		335
1311085	506078	Police Dept - Conf Assets State	335	
Total General Fund:			1,172	1,172
Electric Fund:				
14100905	414209	Sales of Surplus Materials		16,673
14563338	506007	Substation Maintenance	16,673	
		Funds from GovDeals sales		
Total Electric Fund:			16,673	16,673
Capital Fund:				
16100905	416209	Sales of Surplus Materials		11,142
16572362	508080	Fire Dept. - Tools/Equipment	11,142	
		Funds from GovDeals sales		
Total Capital Fund:			11,142	11,142

Business from floor: Ural Harris, 217 Stuart St.-comments regarding his disagreement with Council votes; Chad Martin-extended invitations to Community Softball Game on Sept. 7 and reported area youth will be painting picnic tables at the Rotary Escape Corner Park.

Council comments: Stroud-encouraged the public to attend college football games and asked city staff check on the high curb at the Jiffy Car Wash; Turner-reminded citizens MHS football games start this week.

City Manager comments: (1) Mr. Towarnicki reported on findings on possible Uptown restaurant locations for the September 9 Council Neighborhood meetings and advised that staff recommends the meeting be held at the former Druid Hills School to fulfill the intent that the Neighborhood meetings be held in the neighborhoods and considering that restaurants may feel one was chosen over another and given preference by Council. Council agreed by consensus with the staff suggestion. (2) Mr. Towarnicki reported the AMP questions have been forwarded to AMP and responses were received. He reported that once a quarter, beginning the second meeting in October, an update will be provided to Council on all utilities including electric, water, sewer, and refuse on any new information and trends in service and equipment needs. Mr. Turner reported he has sent a letter to the Ohio Attorney General on his own behalf to look into AMP power issues.

Following are documents with AMP questions and responses received:

August 27, 2013

1. Whether they are talking \$80 Mwh or \$120 Mwh this far exceeds the \$41-\$4 Mwh for the first year of service they promised communities. When are they going to bring the price of electricity down in line with what the originally promised?

2. When will Martinsville see a short and long term plan -- a business plan that shows the price of electricity coming down to what they promised and or to what the market is now charging?

3. AMP has said that communities had their own consultants and engineers who said the deal was good, well, we rely on AMP for advice. You are our professionals. When will you stop blaming the members of AMP for following your advice?

4. AMP has stated in the past that if natural gas prices rise the Prairie State plant becomes profitable. Are you saying that the only way this plant is ever profitable is if the price of electricity rises? Didn't you promise us low cost power from Prairie State so that it would help us hedge against natural gas price increases?

5. Will AMP have to go into the bond market and borrow more for Prairie State

I think this gets at the core questions and anticipates the kind of financial

- AMP does not need to issue additional bonds for Prairie State. AMP's share of the Prairie State capital costs is fully funded. Furthermore, the Wall Street Rating Agencies: Fitch, Standard & Poor's, and Moody's, all rate the AMP Bonds on the project in the A category and, while recognizing increased costs and some delays, remark favorably on the Project (see e.g. Moody's Report on Prairie State, Attachment 3).
- Although AMP supplies power to its member, the City of Columbus, there is no transaction between AMP and the City of Columbus related to Prairie State or any power from Prairie State and the implication that Columbus or any other member gets preferential rates from AMP is simply untrue.
- The idea that AMP has not been "transparent and above board" regarding Prairie State is an insult to the 20 current AMP member municipalities on the AMP Board of Trustees, 14 of which are in the Project (and 10 of 16 municipalities on the AMP Board in 2007 when AMP joined the Project), as well as the 15 participating AMP members that are on the Participants' Committee for the Project who have often met to be updated and to guide AMP's participation in the Project, as well as the vast majority of the 60 Participants who have also regularly met to be updated and to provide guidance on the Project since 2008 (see Attachment 4).
- AMP's Pam Sullivan (psullivan@amppartners.org or 614-540-0971) or John Bentine (jbentine@amppartners.org or 614-540-6401) are available to answer further questions.

ATTACHMENTS: 1-4 (All highlighting is AMP's)

- Attachment 1: Excerpts from the RW Beck Study
- Attachment 2: *Columbus Dispatch* Article
- Attachment 3: Moody's Report on Prairie State
- Attachment 4: Prairie State Participation

American Municipal Power, Inc.

The following is in response to Councilman Turner's questions regarding AMP and Prairie State
8/23/2013

- Communities were not "promised" particular rates. Risks (construction delays, cost increases, and others) were fully disclosed in the RW Beck (a nationally recognized consulting engineering firm) Prairie State Feasibility Study presented to every AMP community (see e.g. Attachment 1, excerpts from the RW Beck Study). Projected rates were presented with potential highs and lows (see e.g. Attachment 1, Section 7, page 7-16, a chart from the RW Beck Study). Rates charged to Participants are consistent with the Prairie State Power Sales Contract and are approved by the AMP Board and the Prairie State Participants Committee.
- In addition to the Beck Feasibility Study and other information, many AMP members retained independent legal and engineering experts to advise them, including many of the Participants with larger shares of the Project. In Martinsville's case, we are informed by the Blue Ridge Power Agency that it engaged a nationally recognized, independent engineering consultant, GDS & Associates, and a nationally recognized Washington, D.C. energy law firm, Brickfield, Burchette, Ritts & Stone to review the Prairie State Project and related Power Sales Contract on behalf of its members, including Martinsville.
- The Prairie State project is the only coal resource currently in the AMP generation asset mix and no other coal resources are being proposed. Prairie State represents less than 20 percent of the projected AMP overall member energy needs in 2015, and about 10 percent of AMP members' capacity requirements.
- Prairie State is a part of the City of Martinsville's diverse power supply portfolio which also includes hydroelectric, natural gas, landfill energy and market purchases. The City subscribed to approximately 5.77 MW of Prairie State generation, which equates to less than 15 % percent of the city's peak capacity requirements. Diversification in power supply resources helps to mitigate the impact of volatility in energy markets, capacity markets and natural gas pricing and lessens risks because no one project or purchase fully drives retail rates. This is why most AMP members' rates compare favorably to investor owned utilities ("IOUs") and rural electric cooperatives ("coops") in their areas. A recent *Columbus Dispatch* article compared Ohio electric utility rates of many municipal utilities as well as all IOUs and coops serving Ohio. As the survey clearly shows, the municipal rates (with all those highlighted in yellow Prairie State Participants) for the listed AMP members are either materially lower or compare well to the lowest IOU or coop rates available (see Attachment 2).

There being no further business, the meeting adjourned at 8:45 pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 2.

Department: City Council

Issue: Presentation of proclamation recognizing Extra Mile Day 2013.

Summary: The Extra Mile America Foundation asked that the City of Martinsville recognize Extra Mile Day 2013 to help in creating positive change in local communities through volunteerism. No one will be present at your meeting, however, the proclamation will be mailed to the organization after the recognition.

Attachments: Proclamation

Recommendations: Presentation only



Extra Mile Day Proclamation November 1, 2013

WHEREAS, Martinsville, Virginia is a community that acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Martinsville, Virginia is a community that encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Martinsville, Virginia is a community that chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Martinsville, Virginia acknowledges the mission of the Extra Mile America Foundation to create 400 Extra Mile cities and states in America and is proud to support “Extra Mile Day” on November 1, 2013;

NOW THEREFORE, I, Kim Adkins, Mayor, and City Council of Martinsville, Virginia, do hereby proclaim November 1, 2013 to be Extra Mile Day and urge each individual in our community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Kim Adkins
Mayor



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 3.

Department: City Council

Issue: Presentation of proclamation recognizing Woman's Book Club Appreciation Month October 2013.

Summary: Several members of the Woman's Book Club as well as Rick Ward from the Blue Ridge Regional Library will be in attendance to accept the proclamation.

Attachments: Proclamation

Recommendations: Presentation only



P R O C L A M A T I O N

Whereas, the Woman's Book Club of Martinsville and Henry County will celebrate the Centennial of its formation on October 16, 2013; and

Whereas, 100 years ago, twenty friends dreamed of creating a public library for Martinsville; these women met monthly, forming the first Woman's Book Club in Martinsville and collecting their purchased books which became the nucleus of a public library for the community; and

Whereas, the Woman's Book Club bought Liberty Bonds instead of books during World War I, this patriotism extending also to supporting the Red Cross, rolling bandages, knitting for the military, etc.; and

Whereas, the Woman's Book Club displayed outstanding dedication to their aim by opening a library in various remodeled venues at City Hall during the 1920's and volunteering to keep it running; and

Whereas, the Woman's Book Club has furthered education by establishing prizes for excellence in various schools of the area and by donating dictionaries, texts, and reading books to classes in need of such items; and

Whereas, the Woman's Book Club has supported many other community projects such as a public park, a new hospital, Christmas Cheer, and Grace Network; and

Whereas, the Woman's Book Club continues to support the Blue Ridge Regional Library with memorial books in memory of deceased members and, in 2013, donated new E-books to help update its services; and

Whereas, it is appropriate that we thank the Woman's Book Club for its steady leadership as exemplified by its motto, "Let Knowledge Grow from More to More"; this leadership, as well as that of the following book clubs: the Book and Arts Club, El Libro, the Book Discussion Club, the Current Events Club, the Second Tuesday Book Discussion Group, and the Friends of the Library, has helped make Martinsville a wonderful place to live, work, and raise a family;

Therefore, I, Kim Adkins, along with Martinsville City Council members, hereby calls this observance to the attention of all its grateful citizens and recognizes the month of October 2013 as

Woman's Book Club Appreciation Month

Kim Adkins
Mayor
City of Martinsville, Virginia



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 4.

Department: City Council

Issue: Presentation of resolution in memory of the late Chairman of the Pittsylvania County Board of Supervisors Marshall Eckers.

Summary: Mayor Adkins will present the resolution at the meeting.

Attachments: To be presented at meeting.

Recommendations: Presentation only

Meeting Date: October 8, 2013

Item No: 5.

Department: Community Development

Issue: Conduct public hearing and consider approval of ordinance, on second reading, regarding home child care zoning amendment.

Summary: At present, the City of Martinsville allows home child care as a home occupation, caring for up to six (6) children as a use permitted by right in all residential and professional districts. The Virginia Department of Social Services (DSS) will license home child care for up to twelve (12) children. In recent years, DSS would issue a license to a home child care operator without requiring contact with the local Zoning office. Due to the inconsistency between the two offices, several home child care businesses have technically been in violation of our local statute. Officials with Smart Beginnings approached the City's Zoning Office inquiring about an amendment to the Zoning Ordinance to bring the City more in line with the State's license. Officials with Smart Beginnings worked with the City of Danville on this same issue in 2012 and that effort was very successful. The Planning Commission discussed this issue over several meetings. The Building Official/Fire Marshal, Commissioner of Revenue, and the DSS Licensing Office were consulted for their input on this subject. This endeavor has fostered a renewed working relationship between the offices that has been lacking in recent years. After several work sessions, the Planning Commission has finalized their recommendation on this issue.

The recommendation is as follows:

- A. Amend the number of children permitted by right in a home child care from six (6) to five (5) non-related children.**
- B. As a separate item, add home child care as a use permitted by special use permit for caring for between six (6) and twelve (12) non-related children.**

The Planning Commission held a duly advertised public hearing on July 18, 2013 and no one spoke against the amendment. Planning Commission voted unanimously (5-0) to send this amendment to City Council for their consideration. Staff recommends that City Council conduct the public hearing to gather input on the proposed amendment to the Zoning Ordinance and approve the ordinance.

Attachments: Planning Commission Letter
Proposed Amendment to the Zoning Ordinance

Recommendations: Conduct public hearing and a motion to approve ordinance, on second reading, with a roll call vote.



August 15, 2013

Mayor Kim Adkins
Members of City Council
City of Martinsville
P. O. Box 1112
Martinsville, VA 24114

RE: Amendment to the Zoning Ordinance (Home Child Care)

Dear Mayor and City Council Members:

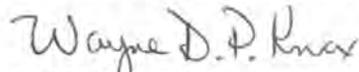
The Planning Commission, at its meeting on July 18, 2013, conducted a duly advertised Public Hearing on a request by the City of Martinsville, for a proposed amendment to the Martinsville Zoning Ordinance related to home child care facilities.

At the public hearing, it was noted that this request would decrease the number of children permitted by right in a home child care from six (6) to five (5) non-related children and would add home child care as a use permitted by special use permit for caring for between six (6) and twelve (12) non-related children. There were several positive public comments voiced at the public hearing. There were no public comments voiced against the amendment at the public hearing.

The Planning Commission voted unanimously (5-0) to recommend the proposed amendment to City Council. The Planning Commission respectfully submits the recommendation for consideration.

Yours Truly,

James A. Crigger, Secretary


Wayne D. P. Knox

Director of Community Development

/tr

cc: Timothy D. Martin, Chairperson
James A. Crigger Jr., Secretary

PROPOSED AMENDMENTS – ZONING ORDINANCE

(Strikethrough indicates deletion; **italicized bold** indicates addition)

SECTION X: RESIDENTIAL DISTRICTS

B. Uses permitted by right in the R-16 District.

(4) Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

D. Uses permitted by special use permit in the R-16 District.

(7) Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

F. Uses permitted by right in the R-9 District.

(14) Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

H. Uses permitted by special use permit in the R-9 Residential District.

~~{(7) Reserved.}~~ **Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.**

J. Uses permitted by right in the R-6 District.

[12.]16. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

L. Uses permitted by special use permit in the R-6 Residential District.

11. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

SECTION XI: PROFESSIONAL DISTRICTS

B. Use permitted by right in the P-1 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ ***five (5) non-related*** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

D. Uses permitted by special use permit in the P-1 district.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

F. Uses Permitted by right in the P-2 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ ***five (5) non-related*** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

H. Uses permitted by special use permit in the P-2 District.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

J. Uses permitted by right in the RP-1 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

L. Uses permitted by special use permit in the RP-1 District.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 6.

Department: City Manager

Issue: Hear an update from the Martinsville-Henry County Economic Development Corporation.

Summary: Mark Heath of the EDC will give this update and answer any questions.

Attachments: None

Recommendations: No action required



City Council Agenda Summary

Meeting Date: October 8, 2013

Item No: 7.

Department: Finance

Issue: Consider approval of Resolution – Election Not to Participate in Virginia Local Disability Plan

Summary:

Consider adoption of a Resolution required by Virginia Retirement System to opt out of the Virginia Local Disability Program (VLDP). The 2012 General Assembly created VLDP for political subdivision employees who will be covered under the VRS Hybrid Retirement Plan effective January 1, 2014. Participation in VLDP is automatic unless City Council elects to opt out and provide a comparable employer-paid disability program effective Jan. 1. The comparable coverage must include short-term and long-term disability. The decision to participate or opt out is irrevocable.

Attachments: Resolution

Recommendations: Motion to adopt Resolution for Election Not to Participate in Virginia Local Disability Program.

RESOLUTION

Irrevocable Election Not to Participate in Virginia Local Disability Program

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before September 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of City of Martinsville, Employer Code #55223, to make this irrevocable election to request that its eligible employees not participate in VLDP;

NOW, THEREFORE, IT IS HEREBY RESOLVED that City of Martinsville irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

RESOLVED that, as an integral part of making this irrevocable election, City of Martinsville certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Adopted in _____, Virginia this ____ day of _____, 2013.

Authorized Signature

Title

Meeting Date: October 8, 2013

Item No: 8.

Department: Finance

Issue: Consider approval of payroll deduction employee computer purchase program.

Summary:

The Martinsville City and School Administrations are taking preliminary steps in offering a payroll deduction employee computer purchase program again this year, partnering with Henry County. Under this program, the City and School will front-fund the cost and employees will have the opportunity to purchase computers and I Pads (exact items yet to be determined) with the cost, including applicable sales tax, recovered through six monthly payroll deductions from January through June 2014. The benefit to employees will be the cost savings realized through a bulk purchase program with six-month no-interest financing through payroll deduction payments. The City will not provide a warranty for any units purchased. Any warranty, software, or other issues will be strictly between the purchaser and the manufacturer.

Attachments: None

Recommendations: Motion to approve employee purchase program and appropriation of funds, said funds to be recovered through payroll deduction. The specific amount will be announced after all orders are received.



City Council Agenda Summary

Meeting Date: Oct. 8, 2013
Item No: 9.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

The attachments amend the FY14 Budget with appropriations in the following funds:

FY14:

General Fund: \$5,668 – Recovered Costs & Donation

School Fund: \$83,408 – State & Private Grants

Attachments: Spreadsheet

Recommendations: Motion to approve.

BUDGET ADDITIONS FOR 10/08/13

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY14</u>				
<u>General Fund:</u>				
01100909	490104	Advance/Recovered Costs		2,068
01331108	501300	Sheriff/Corrections - Part-time & Temporary Wages	1,510	
01331108	502100	Sheriff/Corrections - Social Security	94	
01331108	502110	Sheriff/Corrections - Medicare	22	
01331108	506008	Sheriff/Corrections - Vehicle Equipment & Maint.	302	
01331110	506200	Sheriff/Annex - Prisoner Allowance	140	
		Reimbursement from Henry County for litter pickup - August		
01100908	480410	Donations - Fire Department		1,500
01321102	505230	Fire Department - Telecommunications Donation	1,500	
01100909	490104	Advance/Recovered Costs		600
01321102	505500	Fire Dept - Travel/Training	100	
01321102	506130	Fire Dept - Prof. Services - Rep/Maint Burn Building Reimbursement from Gretna Vol. Fire Dept	500	
01100909	490104	Advance/Recovered Costs		1,500
01221082	501300	Commonwealth's Attorney - Part-time/Temporary Wages NCI Intern reimbursement	1,500	
Total General Fund:			5,668	5,668
<u>SCHOOL FUND</u>				
18103919	489904	Dominion Foundation		4,000
71001100	566000	Materials and Supplies	3,428	
71001100	566056	Non-Cap Equipment	572	
18101918	480303	School Security Equipment Grant		79,408
80004600	568200	Non-Capital Equipment	79,408	
Total School Fund:			83,408	83,408