

March 13, 2012

The regular meeting of the Council of the City of Martinsville, Virginia, was held on March 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, Gene Teague, Mark Stroud and Danny Turner. Vice Mayor Kimble Reynolds arrived 7:10pm. Staff present included: Leon Towarnicki, Interim City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Susan McCulloch and Mike Rogers.

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; Teague, aye; Stroud, aye; and Turner, aye, 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) The condition, acquisition, use or disposition of real property as authorized by Subsection 3.

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 Danny Turner, 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.

Following the invocation by Council Member Mark Stroud and Pledge to the American Flag, the Mayor welcomed everyone to the meeting.

Minutes: On a motion by Gene Teague, seconded by Mark Stroud, Council approved the minutes of the February 14, 2012 meeting.

Recognitions: Mayor Adkins read and presented a proclamation to Linette Nuckols recognizing March as National Red Cross Month.

Update on Patrick Henry Community College Foundation: Gary Collins, Chris Bishop, and Chris Parker updated Council on the PHCC Foundation: the college is celebrating their 50<sup>th</sup> year anniversary; \$12.5 million in assets for foundation; academic programs offered; athletic programs offered; space is a challenge in building new programs to meet the needs of businesses; growth in student population; state and local funding decreases.

Update from Jon Morris of STEP, Inc.: Mr. Morris updated Council on agency programs and services provided to Martinsville, noting their agency does not compete with the Pittsylvania County Community Action. He will continue working with Wayne Knox in the Community Development Department.

Fair Housing Month April 2012 resolution: Susan McCulloch briefed Council on the resolution acknowledging the City's responsibility for providing equal housing opportunities as required through

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the Community Development Block Grant program. 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 strives to promote principles of Equal Housing Opportunity by prohibiting discrimination practices in the sale, rental and financing of housing and in implementing its housing and community development programs in a manner to affirmatively further the purposes of the fair housing laws; and  
**WHEREAS**, the basis for discrimination outlawed by the federal and state fair housing acts are race, color, sex, religion, national origin, handicap, age and familial status; and  
**WHEREAS**, the City of Martinsville believes persons of similar income levels should have available to them a like range of housing opportunities and will work to promote equality and freedom of choice; now, therefore,  
**BE IT RESOLVED** by the Martinsville City Council that, on this 13<sup>th</sup> day of March, 2012 in recognition of April as Fair Housing Month, it does hereby pledge to work with its citizens in pursuit of the shared goal and responsibility for providing equal housing opportunities for all persons.

Set public hearing re: abandonment Smith St.: Susan McCulloch briefed Council on a recommendation from the Planning Commission regarding a request for abandonment of an alley between 802 Smith Street and 802-Lot Smith Street, being fifteen (15) feet in width and approximately seventy-eight (78) feet in length, as shown on City Tax Map 20, Section 1. On a motion by Danny Turner, seconded by Kimble Reynolds, with a 5-0 vote, Council agreed to set a public hearing for April 10, 2012.

Set public hearing re: pawnshops: Susan McCulloch briefed Council on a recommendation from the Planning Commission which would remove pawnshops as a use permitted by right in the C-1A, C-2, C-3, M-1, and M-2 Districts and would add pawnshops as a use permitted by special use permit in the C-1, C-1A, C-2, C-3, M-1, and M-2 Districts. The C-1 Commercial District currently does not allow pawnshops as a use permitted by right. To establish uniformity in the commercial districts; it is included in the recommendation to add pawnshops as a use permitted by special use permit. After Council discussion, Council directed the City Attorney to draft language for the ordinance to provide flexibility. City Attorney Eric Monday will do a proposed draft and circulate to Council by email on Wednesday, March 14, 2012. On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 4-1 vote, Council agreed to set the public hearing for the April 10, 2012 meeting. Council Member Turner opposed stating this was too restrictive on businesses and Council Member Stroud also agreed on too many restrictions.

Set public hearing for local tax exemption requests: Commissioner of Revenue Ruth Easley briefed Council on the exemption requests received.

Under the provisions of the Exemption Ordinance enacted by Council in January 2007, any entity that does not clearly fall into any exemption category granted by the Code of Virginia must request an exemption approval from the City Council in the form of an exemption ordinance. In order for the exemption request to be considered by Council as part of the annual budget deliberations, the requesting entity must have submitted an exemption application to the Commissioner of the Revenue by November 1, 2011. The Commissioner of the Revenue referred the applications received to the Interim City Manager along with a report of the revenue impact that any possible exemption may have. The Interim City Manager appointed a review committee consisting of himself, Mayor Adkins, the City Commissioner of the Revenue, the City Treasurer, and an accountant from the Finance Department to review the applications received. Three organizations have submitted an application for a local exemption designation.

Ms. Easley explained that the exemption can only be granted to a non-profit entity. On a motion by Danny Turner, seconded by Kimble Reynolds, with a 5-0 vote, Council agreed to set the public hearings for April 10, 2012.

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

BUDGET ADDITIONS FOR 3/13/12				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY12</u>				
<u>Refuse Fund:</u>				
09102926	436442	Federal Grant - ARRA - Biomass Energy Grant		504,763
09425302	508220	Landfill - Physical Plant Expansion	504,763	

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Landfill Methane Energy Project Reimbursement

<u>Total Refuse Fund:</u>			504,763	504,763
<u>Water Fund:</u>				
12101918	443305	State Grant - VDH Project Grant		19,812
12541311	508220	Physical Plant Expansion - Lanier Rd. Project	19,812	
State Grant Lanier Rd. Project Reimbursement				
<u>Total Refuse Fund:</u>			19,812	19,812

Business from floor: none

Council comments: Stroud-reported on Dr. Seuss reading at Albert Harris; Turner-reported MHS band to perform at Disney World.

Interim City Manager comments: noted the grant money received in the refuse fund in tonight's consent agenda closes out the grant for the landfill project with a total of \$1million having been received.

There being no further business, the meeting adjourned at 8:40pm.

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Brenda Prillaman  
Clerk of Council

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Kim Adkins  
Mayor