

March 26, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held March 26, 2013, 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 Gene Teague, Mark Stroud, Sharon Brooks Hodge and Danny Turner. Staff present included: Leon Towarnicki, Interim City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Dennis Bowles, 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 Sharon Brooks Hodge, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) A personnel matter as authorized by Subsection 1. (B) 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. 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 Mark Stroud, seconded by Sharon Brooks Hodge, with the following recorded 5-0 vote: Adkins, aye; Hodge, aye; Teague, aye; Stroud, aye; and Turner, aye, Council returned to Open Session.

Action: On a motion by Gene Teague, seconded by mark Stroud, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council agreed to enter into the employment agreement with Leon Towarnicki as City Manager. On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council approved the following ordinance 2013-U-1 on first reading, which puts into place the job duties and salary of the City Manager:

City of Martinsville, Virginia ORDINANCE 2013-U -1 [uncodified]

WHEREAS, the Council of the City of Martinsville has this day appointed Leon E. Towarnicki as City Manager, and desires to enact an ordinance fixing his compensation as required by Chapter 5, Section 1 of the City Charter,

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on March 26, 2013, that the City Manager shall receive the following compensation:

The City agrees to provide the following compensation to the City Manager during the term of his employment:

A. Compensation & Required Employer Costs

(1) **Base Salary**

(a) The annual salary for the position of City Manager shall initially be one hundred fifteen thousand dollars (\$115,000.00).

(b) The City Manager will be eligible for annual salary adjustments based on the City Manager's annual performance evaluation, and at the sole discretion of the City Council. The salary adjustments may be based, in part, on the accomplishment of specific goals set by the City Council that are achieved by the City Manager.

(c) The City Manager shall be paid at the same intervals and in the same manner as regular City employees.

(d) Subject to the provisions of his Employment Agreement, the City shall not at any time during the term of this Agreement reduce the base salary, compensation or other financial benefits of the City Manager, unless as part of a general City management salary reduction, and then in no greater percentage than the average reduction of all City department heads whose salaries are reduced.

(2) **Required Employer Costs.** The City shall pay:

(a) Federal Insurance Contributions Act (FICA) (if applicable to the same extent provided other City employees)

(i) Old Age Survivor and Disability Income (OASDI)

(ii) Medicare

(b) Unemployment Compensation to the same extent provided other City employees.

(c) The City contracts with the Virginia Retirement System (VRS) for retirement benefits. The City Manager will be treated as any other employee with regard to City contributions to and the vesting of said retirement benefits.

(d) The cost of any fidelity or other bonds required by law for the City Manager.

(e) Workers Compensation to the same extent provided other employees of the City.

B. Basic Benefits

(1) **Health Insurance.** The parties acknowledge that City Manager will receive health insurance benefits at the same level as all other City employees in accordance with City approved health insurance contribution rates.

(2) **Annual and Sick Leave.** Notwithstanding the policies regarding leave set forth in the City of Martinsville's Employee Handbook, as amended from time to time, the City Manager shall accrue annual leave and sick leave in conformance with City approved policies. The

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City Manager shall not be entitled to compensatory time. The City Manager shall coordinate his leave with the Mayor and shall schedule leave in such a fashion as to minimize absences from Council meetings.

- (3) Other Benefits. With the exception of those benefits specifically addressed in his Employment Agreement, the City Manager shall be entitled to all employee benefits as are currently provided to him and further provided in the City of Martinsville's Employee Handbook as amended from time to time or such benefits as to which the City Council and City Manager agree from time to time. To the extent such amendments of the City of Martinsville's Employee Handbook may result in increased or additional benefits to the City Manager, such amendments are subject to the express ratification of the City Council for their application to the City Manager.

Comments were made by Council members congratulating Mr. Towarnicki for his excellent work while serving as Interim City Manager for past 15 months. Mr. Towarnicki thanked Council for their support and confidence and pointed out that the city has a great staff and there are tough challenges and unique opportunities ahead for our city.

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

Minutes: On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the minutes of the February 12, 2013 meeting.

Proclamation-Child Abuse Prevention Awareness: Mayor Adkins presented a proclamation to Exchange Club representative, Nancy Kennett, for Child Abuse Preventions Awareness Month.

Proclamation-Sexual Assault Awareness: Mayor Adkins presented a proclamation to Citizens Against Family Violence Sexual Violence Case Manager, Sandy Dawson, for Sexual Assault Awareness Month.

West Piedmont Workforce Investment Board update: Executive Director of the West Piedmont Workforce Investment Board, Kim Adkins, gave a comprehensive quarterly update on the WPWIB activities.

Resolution for NCI required by DHCD: On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the following resolution:

Be it resolved that, pursuant to two public hearings, **THE CITY OF MARTINSVILLE** wishes to apply for **\$700,000.00** of Virginia Community Development Block Grant funds for **the NEW COLLEGE EXPANSION – BUILDING ON BALDWIN PROJECT.**

Whereas **\$815,540 of other funds** will also be expended on this project, it is projected that through this \$1,515,540 investment, that 5,600 SF of Classroom Space will be completed and 2,612 SF of Support Space. This space will serve as the Center for Innovation and Entrepreneurship and be located on the second floor of the New College Building.

It is further projected that 60 percent or 300 individuals served over the next three years will be low-and moderate income persons.

Be it further resolved that **LEON E. TOWARNICKI, CHIEF ADMINISTRATIVE OFFICIAL**, is hereby authorized to sign the application and documents for the submission of this Virginia Community Development Block Grant proposal.

Duly adopted at the regular meeting of the Martinsville City Council on **March 26, 2013.**

Kim Adkins, Mayor, Martinsville City Council
Chief Elected Official

Set public hearing for local tax exemption request: Commissioner of Revenue Ruth Easley briefed Council on the tax exemption request from STEP, Inc. On a motion by Mark Stroud, seconded by Gene Teague, with a 5-0 vote, Council set the public hearing for April 23, 2013 for consideration of the request.

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

BUDGET ADDITIONS FOR 3/26/13				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY13				
General Fund:				
01101917	442810	Categorical Other - State - Highway Projects		598,012
01413151	503193	Thorofare Construction - Prof.Serv. -Inspections/Fees	50,281	
01413151	508220	Thorofare - Physical Plant Expansion	430,179	
01413151	508234	Thorofare Construction - Utility Relocation	117,552	
		Reimbursement-Liberty St Project		
01102926	443157	Categorical Federal - Safe Routes to School		5,704

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01413146	503140	Street Marking - Prof. Services - Engineering Reimbursement-Safe Routes to School Project	5,704	
Total General Fund:			603,716	603,716
SCHOOL FUND				
18101918	418308	State Grants - Project Graduation		18,286
71501100	561120	Instructional S&W	15,000	
71501100	565800	Miscellaneous Expense	1,500	
71501100	566013	Instructional Materials and Supplies	1,786	
Total School Fund:			18,286	18,286

Semi Annual reports from outside agencies: Council briefly discussed outside agency reports submitted. No action was taken.

Business from floor: Ural Harris, 217 Stuart St.—EDC comments and comments regarding expenses for city manager job search. Mayor Adkins recognized members of a class from National College attending the Council meeting as part of their class requirements. Class members Sam Cooke, Melvin Hairston, and Sharon Kent spoke to Council about their studies. Chad Martin-thanked the police chief for the PHCC Safe Schools dialogue assuring there were people in place to protect kids. Mike Rogers, Police Chief-commented on one of his valuable employees, Coretha Gravely, noting that she lives in the county and glad that did not prohibit him from hiring her. He commented on what a good decision maker that Leon Towarnicki is and he is proud to work for him, noting that Leon always stays calm and collected and stays positive which makes a good work environment.

Council comments: Turner-reminded citizens NASCAR fans will soon be coming to our area; Stroud-Council put a lot of effort in hiring the right person for the city manager position; Hodge-appreciative of quick turn-around on concerns she voiced about a dumping issue and reminded citizens to avoid littering and keep our city attractive; Teague-commented on funding formula for EDC and pointed out he welcomes solutions and ideas to help us grow when problems are pointed out; Adkins-pointed out Council is sensitive to the fact that unemployment rates have been reported as rising again and advised that Council is constantly looking at immediate ways to get people back to work.

City Manager comments: thanked everyone for the nice comments and reminded Council the next meetings will be on April 8 and April 9. City Attorney Eric Monday reminded citizens that cats are required to have collars and vaccinations.

There being no further business, the meeting adjourned at 8:35 pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor