

April 12, 2011

The regular meeting of the Council of the City of Martinsville, Virginia, was held on April 12, 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, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Leon Towarnicki, Linda Conover, Ruth Easley, Eddie Cassady, and Rob Fincher.

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

On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council approved the minutes of the March 21, 2011 and March 22, 2011.

Commissioner of Revenue, Ruth Easley, briefed Council on the authorization request for refund overpayment Tangible Personal Property Assessment: A local business filed tangible personal property forms in both Martinsville and Henry County and paid the assessments from both localities for tax years 2008 through 2010. Originally the taxpayer was picked up by the city prior to tax year 2008 due to a city garage jurisdiction for a company-owned vehicle. The business began reporting their tangible personal property to Henry County in 2008 while also reporting the same business personal property to the City of Martinsville. The business was taxed by both localities and paid both localities for 2008, 2009 and 2010. The error was discovered by the business and Henry County in late March 2011. A review of the account concluded that the business equipment has a Henry County situs and was properly taxed by Henry County. The Martinsville Commissioner of the Revenue office abated the assessment for tax years 2008, 2009 and 2010. However, due to the amount erroneously assessed, the City Treasurer needs authorization from City Council to issue the refund. The refund amount is \$9,308.45 with interest of \$1,666.14 calculated by the City Treasurer through April 12, 2011 for a total refund of \$10,974.59. The Code of Virginia authorizes the City Treasurer to issue refunds up to \$2,500 without prior authorization of City Council. Because the refund amount is over this limit, Council must authorize the City Treasurer to issue the refund so that it does not adversely affect the city's cash flow.

On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council authorized the City Treasurer to issue refund effective April 12, 2011 with calculated interest. There was discussion regarding interest fees and City Attorney Eric Monday agreed to canvas other localities for their interest rates and provide that information to Council.

On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council agreed to set a public hearing for April 26, 2011 to consider the tax exemption requests from two organizations.

Treasurer Cindy Dickerson briefed Council on the authorization request to refund of overpayment of 2009 business license fee: A local business simply overpaid their 2009 business license by \$2,607.00. There is no interest involved. The Code of Virginia authorizes the City Treasurer to issue refunds up to \$2,500 without prior authorization of City Council. Because the refund amount is over this limit, Council must authorize the City Treasurer to issue the refund so that it does not adversely affect the city's cash flow. On a motion by Kimble

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Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council authorized the City Treasurer to issue the refund of \$2,607.00 effective April 12, 2011.

Tom Fitzgibbons briefed Council on the May 7, 2011 Community Technology Recycling Day planned by the Martinsville City Schools and encouraged participation by the public.

Mark Heath of the M-HC EDC office briefed Council on activities occurring in tourism, research, small & minority & entrepreneurial business, and marketing/recruiting.

Kathy Lawson of the Green Committee updated Council on their activities and encouraged Council to meet with their committee and staff to consider the list of following goals:

Cost Neutrality to Revenue Generation

2011

Mandatory plan/policy for the recycling of papers, cardboards, plastics, cans/metals, at all City Schools and City government facilities.

Survey the top 150 businesses in the City to determine current waste stream generation and recycling opportunities.

Consider a City of Martinsville written commitment to be 50% self sufficient in electricity generation by 2030.

2012

Phase out the use of Styrofoam cups at all City schools and City government facilities.

Mandatory 2% annual reduction in City electricity usage from gains in efficiency and technology based on a normalizing factor that is population bases.

Consider a project to regain freeboard water at the hydro-dam to allow for longer hours of electricity generation.

Centralized composting of all food organics from the City schools and City government operations.

2014

Consider a three year plan to implement bulk (non-separated) curbside recycling of paper, magazines, cardboard, plastic and metals in the City.

Consider buying a bailer and leasing, renting, or purchasing a building to store recyclables collected at the recycling center. Purpose: To reduce/eliminate current transportation costs needed to remove recyclable and to increase value of recyclables resultant bailed volume.

2015 Create business license incentives based on business recycling participation.

2021 Implementing a ten year plan to convert the current garbage transfer station into an Asset Recover Operation.

Be 50% self sufficient in electricity generation by 2030 from 2011 usage.

Consider a City of Martinsville written commitment to zero landfill waste by 2045.

Leslie Hervey of the SPCA updated Council on their activities and thanked the city for the good partnership the SPCA has with the City Animal Control Department.

Wayne Knox briefed Council on special use permit request: The Planning Commission conducted a public hearing on March 17, 2011 on a request from Piedmont Community Services to approve a special use permit for construction of an Intermediate Care Facility. The Planning Commission voted to recommend to City Council that the special use permit be granted property located at 1603 Church Street Extension, also known on the City's Tax Map as 35(02)B 01 02. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council agreed to set a public hearing for April 26, 2011 for consideration of special use permit request.

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

BUDGET ADDITIONS FOR 4/12/11				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY11</u>				
<u>GENERAL FUND</u>				
01100909	490134	Recovered Costs - Parks & Recreation		5,150
01711210	506091	Parks & Recreation - Special Events/Cruise In Costs recovered from various sponsors	3,150	
01713211	506014	Park Maintenance - Equipment & Supplies Donation towards Park Maint from EDC	2,000	
Total General Fund:			5,150	5,150

Mayor Adkins gave an overview of the April 11, 2011 Council Neighborhood meeting held at Martinsville Housing Office and noted it was a great turnout of citizens. The City Manager provided Council an update on the paving schedule and demolitions. After discussion of pavement issues, Council asked that data be compiled so we can request more funds for residential street paving from VDOT at the next legislative session in the fall.

Business from the floor: William Eggleston, 1507 Roundabout Rd., pointed out issues with property at 1505 Roundabout Rd. and Eric Monday is to get a copy of the remediation plan to Mr. Eggleston. Ural Harris, 217 Stuart St., voiced concerns with school budget, discounts on electricity, EDC funding, furlough days, and AMP issues; Wayne Knox, City Community Development Director, encouraged participation in the Historic Courthouse Planning Workshop.

Comments from City Council: Teague-encouraged participation in April 16 Hazardous Waste Day; Turner-Henry Hotel plans; Mayor Adkins asked that Ray Gibbs of Phoenix CDC be invited to the April 26 Council meeting to update on Henry Hotel direction; Reynolds-thanked all residents for their input at neighborhood meeting; Stroud-has gathered information on siren warning system and will pass along to Council.

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Comments from City Manager: reported the proposed FY12 budget will be presented on April 28 and Council will be polled before that meeting for dates to consider for budget worksessions.

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 Danny Turner, with the following 5-0 recorded vote: Adkins, aye; Reynolds, aye; Teague, aye; Stroud, aye; and Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) Appointments to boards and commissions 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, (C) A personnel matter as authorized by Subsection 1.

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 Teague, 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.

Actions taken on Board appointments:

On a motion by Kimble Reynolds, seconded by Kim Adkins, with a 5-0 vote, Council appointed the following to the Human Relations Advisory Committee with no specified term: Marie Craddock, 613 Mulberry Rd., Ural Harris, 217 Stuart St., Tony Jones, 612 Third St, Chad Martin, 56 Molly Circle, Rachel Beneke, 713 Beechnut Lane, Patrick Shuler, 1011 Maplewood Ct., Randy Stevens, 104 Courtney Terrace, Bonnylee Shelor Witt, 61 Eighth St., Thomas Salyer, 724 Circle Ct., Bailey Gifford Penn, 1109 Chatham Rd.

On a motion by Kim Adkins, seconded by Mark Stroud, with a 5-0 vote, Council re-appointed Debra Poirer, 1810 Spruce St., to the Piedmont Regional Community Services Board for a 3 year term ending 6/30/14.

On a motion by Kim Adkins, seconded by Mark Stroud, with a 5-0 vote, Council re-appointed Ron Ferrill, 917 Hunting Ridge Rd., to the Henry-Martinsville Social Services Board for a four year term ending 5/31/15.

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On a motion by Mark Stroud, seconded by Danny Turner, with a 5-0 vote, Council appointed Nancy Baker, 919 Hunting Ridge Rd., to the Patrick Henry Community College Board for a 4 year term ending 6/30/15.

On a motion by Danny Turner, seconded by Gene Teague, with a 5-0 vote, Council appointed Veraine Randolph, 1414 S. Askin St., to an unexpired term ending 12/31/14 on the Anchor Group Home Commission.

On a motion by Kim Adkins, seconded by Mark Stroud, with a 5-0 vote, Council appointed Madie Rountree, 1221 Mulberry Rd., to the Southern Area Agency on Aging Board for an unexpired term ending 9/28/12.

On a motion by Kim Adkins, seconded by Danny Turner, with a 5-0 vote, Council appointed Debbie Hall, 1807 E. Church St. Ext, to the Architectural Review Board for a 3 year term ending 3/31/14.

On a motion by Kim Adkins, seconded by Gene Teague, with a 5-0 vote, Council appointed Charles Long, 3567 Dillons Fork Rd., Fieldale, to the Dan River ASAP Board for a 3 year term ending 4/31/14.

On a motion by Kimble Reynolds, seconded by Danny Turner, with a 5-0 vote, Council appointed Dr. Natalie Harder to the Blue Ridge Regional Library Board for a 4 year term ending 6/30/15.

On a motion by Gene Teague, seconded by Kim Adkins, with a 5-0 vote, Council appointed Patrick Shuler, 1011 Maplewood Ct., to the West Piedmont Planning District Technical Advisory Committee for an unexpired 3 year term ending 12/31/14.

There being no further business, Mayor Adkins adjourned the meeting at 11:04 pm.

Clarence C. Monday
Clerk of Council

Kim E. Adkins
Mayor