

April 27, 2010

The regular meeting of the Council of the City of Martinsville, Virginia, was held on April 27, 2010, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kathy Lawson presiding. Council Members present included: Mayor Kathy Lawson, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Robert Ramsey, Linda Conover, Wayne Knox, Susan McCulloch, and John Dyches.

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

On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council approved the minutes of the April 6, 2010 meeting.

Mayor Lawson reported on the Middle School student essay program which was established by the Mayor in 2009 to engage the minds of our young people in government. This year's contest was held as part of Black History month in February. As part of the observance, students were asked to write an essay about a black person in history whose actions have had an impact on their lives. A winner was chosen from each grade. Jewel Nichols, the sixth grade winner, wrote about Susan Rice, an ambassador to the United Nations and foreign policy advisor. Aaleah Williams, the seventh grade winner, wrote about talk show host Oprah Winfrey. The eighth grade winner, who was not at the meeting, was Kionte Payne, who wrote about poet Maya Angelou. Each winner received a certificate and a \$50 gift card.

The Mayor opened the public hearing regarding the establishment of three local Historic Districts as recommended by the Planning Commission. Comments included: Frances Fleming of Northwood Court—noted that there will be leeway on the guidelines as she serves on the Architectural Review Board; Tim Martin introduced members of the his PHCC law class who gave a power point presentation on reasons to preserve history in the community as well as reasons to maintain the current one-way streets Uptown; Jim Ford, representing First United Methodist Church, reported the church supports that portions of their property has historical significance, however, requests that Council exclude the church properties on the north side of Main Street from the proposed districts; Dr. Mervyn King stated it is important to have the ARB and historic districts in order to have controls; Susan McCulloch reported boundary lines were established in 1998 with community input and she noted that the church is part of the state district. City Attorney Eric Monday said we should continue the public hearing at the next

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meeting and Eric will check on the need for advertising. Jim Ford stated the church project is ready to go and asked that Council move forward as quickly as possible. Wayne Knox stated the turnaround time on the permits being issued under the existing ordinance is 7 to 10 days and the church should go forward under the existing ordinance, noting that with the existing guidelines, the ARB is advisory only. Council agreed to continue the public hearing at the May 11 meeting.

Fire Chief Kenneth Draper briefed council on the USDA grant for vehicle purchase of one rescue pumper engine and the need to conduct a public hearing to authorize the City Manager to apply for the grant which does not commit any City funds. Chief Draper pointed out the grant is seeking reimbursement from the federal government for \$140,000 of a total purchase price of \$460,000. Mayor Lawson opened the public hearing and with no public comments, the public hearing was closed. On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council authorized the City Manager to submit the grant application as requested.

Water Resources Director John Dyches, briefed Council on the amendments to the Water & Sewer Services Terms and Conditions. Additional language is proposed in both the City and Henry County PSA sewer discharge regulations that will provide the flexibility to work with industries and businesses. The proposed wording also is sufficiently restrictive to protect the City's WWTP from overloading and permit violations. The proposed changes will be subject to DEQ and EPA approval before being implemented. On a motion by Kimble Reynolds, seconded by Gene Teague, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council approved the following proposed amendments, effective immediately:

Proposed amendments to the "City of Martinsville Water and Sewer Services Terms and Conditions", Appendix B, "Regulations Governing Industrial Discharges to the Sanitary Sewer System", Article II, Section 2.1, Items k. and l.

CITY OF MARTINSVILLE, VIRGINIA Regulations Governing Industrial Discharges to the Sanitary Sewer System ARTICLE II
Prohibited Discharges [40 CFR 403.5 (a) (b)]

Sec. 2.1

Purposeful Discharges

- k. Wastes having a five day, 20 degree centigrade BOD greater than 300 mg/l, except that variance of BOD may be accepted on a surcharge basis not to exceed a maximum concentration of 1000 mg/l. **Unless precluded by categorical pretreatment standards, the discharge of wastes with a BOD greater than 1,000 mg/L may be approved on a temporary basis at the discretion of the City. Approval for the discharge of such wastes shall be provided only after demonstrating to the satisfaction of the City that pass through, interference and exceedance of the MAHL or other adverse effects to the POTW do not occur. The terms and conditions for such an agreement shall be contained in a discharge permit which will include a compliance schedule of the shortest possible duration. Surcharge provisions and all other provisions of this regulation shall apply.**
- l. Wastes having a suspended solids concentration greater than 300 mg/l, except that variance of SS may be accepted on a surcharge basis not to exceed a maximum concentration of 1000 mg/l. **Discharge of wastes with SS greater than 1,000 mg/L may be approved on a temporary basis at the discretion of the City. Approval for the discharge of such wastes shall be provided only after demonstrating to the satisfaction of the City that pass through, interference and exceedance of the MAHL or other adverse effects to the POTW do not occur. The terms and conditions for such an agreement shall be contained in a discharge permit which will include a compliance schedule of the shortest possible duration. Surcharge provisions and all other provisions of this regulation shall apply.**

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Wayne Knox gave an update on the City's effort to provide business incentives for existing businesses and potential enterprises. In an effort to maintain and recruit businesses to the city and the Uptown area, staff has been engaged in research of possible incentives. In addition, a committee of the Uptown Partners is doing likewise. Once we have gathered the pertinent information from other localities and the Uptown Partners, we will meet with the Commissioner of Revenue and City Attorney to determine what the City can legally offer to businesses. Following these discussions, staff will be prepared to make recommendations to City Council for review.

Budget Analyst, Linda Conover, presented the monthly finance report.

Comparison of Revenues & Expenditures

Through the end of March, third quarter of the Fiscal Year 2010, the total revenues are \$55,527,807, representing 64.4% of the budget, and are less than anticipated. The total expenditures through March are \$59,323,731 which is 69.1% of the budget, and also less than anticipated.

Combined Balance Sheet

As of March 31, the combined fund balance for FY10 is \$13,189,749. This is a "snapshot" of Fund Balance at that moment, and cannot be construed as a prediction of balances at year-end for FY2010. There are factors that currently impact this balance, and will continue to do so. Some of them are:

- Previous weather-related delays in utility billings
- Greater-than-average expenditure months yet to come (April & June)
- Cash flow
- Impending due dates for both Business Licenses (May) and second-half Real Estate Taxes (June)

Forecast

Taking into consideration that overall revenues are currently \$449,801 less than March's anticipated receipts of \$55,707,608, continued conservative spending, budget reductions, and personnel reductions/restructuring will help to offset this difference for FY10. Further adjustments, including the scheduled furlough day in May, additional departmental expenditure controls and possible revenues received from methane recovery will also help with the necessary reductions in the current year in order to preserve Fund Balances. Staff is continuing to monitor the current budget closely.

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

BUDGET ADDITIONS FOR 04/27/10

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY10</u>				
<u>GENERAL FUND</u>				
01102926	436426	Categorical Federal - COPS Technology Grant Program		75,000
01331108	508216	Sheriff - Corrections - COPS Technology Grant Program appropriation of grant funds	75,000	
01100909	490134	Recovered Costs - Recreation & Parks		1,400
01711210	503600	Parks & Recreation - Advertising	400	
01711210	506007	Parks & Recreation - Equipment & Supplies appropriation of recovered costs	1,000	
1101917	442402	Categorical Other State - Confiscated Assets - C Atty		349
1221082	506105	Comm Atty - Conf Assets State	349	
1101917	442401	Categorical Other State - Confiscated Assets - Police		906
1311085	506078	Police Dept - Conf Assets State appropriation of state asset forfeitures	906	
01101917	442601	Categorical Other State - EMS 4 for Life		127
01322105	506114	EMS - 4 for Life Program appropriation of additional funds	127	
01100909	490104	Recovered Costs - General		1,511
01913250	506100	General Expense - Miscellaneous appropriation of recovered costs	1,511	

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Total General Fund:

79,293

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Business from the floor: Marvin Blankenship of Forest Street stated he recently received a No Trespassing notice barring him from entering the municipal building without have a definite reason for being there and he asked Council to rescind the notice, with no action taken.

Comments from Council: Stroud-updated citizens on his surgery and noted the Governor and Monogram Foods was good news. Turner-reminded citizens of School gala event Friday. Teague—asked that at a future Council meeting an update be provided on public rights of way and tree policies & rules of the Electric Dept. Lawson—announced discover Upstairs Uptown on May 2 and encouraged participation in School gala; reported a tree planting ceremony was held at the city reservoir and she thanked Lois Christensen for all she has done for this community.

Comments-City Manager: Mr. Monday announced the city received two award letters of grant funds in the amounts of \$260,929 and \$36,400 for the Safe Routes to Schools through Activate. He commended Jeannie Frisco for the good job done on obtaining these grant funds.

City Council then adjourned and convened as the Martinsville Redevelopment and Housing Authority. Authority members present included: Chairperson Kathy Lawson, Kimble Reynolds, Gene Teague, Mark Stroud, and Danny Turner. Wayne Knox reported to the Authority that a public hearing is needed and the Authority needs to consider acquisition and disposition of real property, specifically 809 Keel Street and 811 Keel Street, which has been properly advertised in the local newspaper. This property is being conveyed as part of an indoor plumbing repair effort. Once acquired, the property will be conveyed to an IPR recipient. He noted that MRHA will act as a pass-through for the funds and there will be no cost to the city. Once this is complete, a new single-family residence will be constructed on this site. Chairperson Lawson opened the public hearing and with no public comments received, the public hearing was closed. On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, the Authority agreed to the acquisition and disposition of the property as outlined.

There being no further business, the Martinsville Redevelopment and Housing Authority adjourned at 9:55 PM on a motion by Gene Teague, seconded by Mark Stroud.

Clarence C. Monday, Clerk of Council

Kathy C. Lawson, Mayor