

April 6, 2010

The regular meeting of the Council of the City of Martinsville, Virginia, was held on April 6, 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, Leon Towarnicki, Brenda Prillaman, Eric Monday, Mike Rogers, Linda Conover, Wayne Knox, Jim Taipalus, and Susan McCulloch.

Following the invocation by Vice Mayor Kimble Reynolds, and Pledge to the American Flag, Mayor Lawson welcomed everyone to the meeting.

On a motion by Kimble Reynolds, seconded by Mark Stroud, Council approved with a 5-0 vote, the minutes of the March 23, 2010 meeting.

Jeannie Frisco of Activate M-HC briefed Council on the Achievement Award that Activate, in partnership with the City, received from the United States Environmental Protection Agency. The EPA awards program recognizes outstanding community strategies and planning that support active aging and smart growth. The Achievement Award, which is the top award, recognizes communities for overall excellence in building healthy communities for active aging across the United States. This year's recipients of the "Building Healthy Communities for Active Aging" award went to the Town of Cary, NC, and Activate in Martinsville/Henry County, VA. Recipients of the award have partnered with others to implement programs and policies that improve the health and well-being of the community and its citizens. City Manager, Clarence Monday, commended the leadership of Jeannie Frisco with Activate noting that quality of life is very important to our community and she has been a great leader for this effort.

Mark Heath introduced Jennifer Doss, Director of Tourism, to report on projects that division is working on. She pointed out that efforts are ongoing in educating local hospitality personnel and the Tourism Division has partnered with Martinsville Mustangs for the Grand Slam Award to be presented for exceptional customer service in the community. She noted the next hospitality personnel tour will be June 3 and will be an informative event. Council Member Turner asked Mark Heath to accept the business idea package from Turner and several businessmen. Mr. Heath thanked Mr. Turner and said he would review it.

Jim Taipalus gave Council an update from Martinsville Mustangs. Information he shared included: Sponsorship-signed = \$40,920, verbally committed = \$9,990 (waiting contract return), trade = \$21,000 (food, hotels, building supplies). This is a total of \$71,910 compared to last year at this time at \$61,140 which is a +\$10,770 difference. New ideas: Party Deck (admission, catered food and drinks for birthday parties and company nights, Concourse Signs (more advertising space), On-Field Promotions, Advertising on ESPN radio, Golf

April 6, 2010

Tournament, Baseball Tournament. Community Involvement: Baseball Camps, Non-profit night, School Angel Night. Concerns from 2009: meal money for players, housing for players, travel expenses. 2010 Marketing and Advertising: Giveaways: Items to be given away to the community prior to the season and on Mustang promo nights: 300 Mustang T shirts, 1000 magnet schedules, 500 cowbells, free Subway certificates, 25,000 pocket schedules (hotels, local businesses & tourism center), Fireworks night, School Angel Night (all students get a free ticket). Interviews/commercials: BTW interview with Diane Sawyer, Chef Paul, and Sharon Shepherd; commercials on Channel 13/BTW; footage for MGTV; play-by-play broadcasting on ESPN 1160; commercials on Super Country 99.9. Signs/Website presence: electronic information sign on corner of Hooker Field; highway sign on Commonwealth Blvd.; website link to Martinsville-va.gov, yesmartinsville.com, visitmartinsville.com, coastalplain.com, and Facebook. At present the remaining budget is 45%. Council members commended Jim Taipalus for the good job he is doing stating they liked his innovative ideas and he is off to a good start.

Leon Towarnicki updated Council on the City's receipt of grants through the American Recovery and Reinvestment Act of 2009. He reported that during the latter part of 2009, City staff submitted applications for grant funding for a number of projects through the American Recovery and Reinvestment Act (ARRA) of 2009. The City was previously notified of receipt of grant funds for the Liberty Street widening project and the landfill gas to energy project, and just recently for improvements at the City's hydro plant and for building energy improvement retrofits. He reported the Liberty Street project is in the right-of-way acquisition stage and should be under construction around summer of 2010. Before the City was awarded grant money, the gas to energy project was set to begin several years down the road, but now, it should be in production by mid to late May 2010. The electrical generation piece of the project is now in the RFP stage and all funding sources are being pursued for the other \$1.2M needed for complete funding. The hydro plant project involves automating generation and should be about a 10% increase in production of power. The energy retrofit funding awarded will be used to improve energy efficiency of city buildings which follows right in line with the green project initiatives. Council Member Stroud asked that continued attention be given to possibilities of dredging behind the hydro dam.

Mr. Towarnicki also reported that the application to Google was submitted for the City of Martinsville and he commended the four young people who attended the March 23 Council meeting for their tremendous assistance on the city's application to Google. Mayor Lawson commended all city staff for the good job done on the Google application.

Wayne Knox gave an update on the Uptown revitalization process. The process to revitalize Uptown continues and the application for CDBG funding has been submitted. The results of the application will be not be known until June of this year. The Henry Hotel is down to 3 residents remaining. The next step will be to determine what the reuse of the building will be that has the best chance of success, based upon the soon-to-be completed housing market analysis and once that is done, formulating a timetable

April 6, 2010

to secure the developer of the Henry would be in order. An additional aspect of this revitalization effort will come in the form of incentives for existing and potential businesses. Once that is finalized, a report will be presented to Council for discussion. Points made included: the arena project has been shelved for presentation of other ideas; LPDA consultants has presented the Uptown Master Plan; CDC has been formed and in place; Henry Hotel was purchased; Uptown Management Team meets monthly; Theatre Works is now open; City has applied for block grant funds for Uptown development; NCI is a beacon for economic development; options for Baldwin Block will be next step; one option for seeing this through is to let LPDA do a comprehensive analysis of Baldwin Block and present to the stakeholders using the grant money we have to do the analysis. After brief discussion, Mr. Knox advised that options will be presented to Council and Council can judge as to what is best for the community. Time frame to review options would be early fall 2010.

Susan McCulloch briefed Council on a recommendation from the Planning Commission regarding a Local Historic District. She also stated the Planning Commission and Community Development recommend that City Council set a public hearing for April 27, 2010 to establish the Martinsville Historic District, the East Church St./Starling Avenue Historic District and the Fayette Street Historic Districts as the Local Historic Districts of Martinsville. She reported that on March 18, 2010, after a duly advertised Public Hearing, the Planning Commission voted unanimously to recommend that City Council establish Martinsville's State and Federal Historic Districts as the Local Historic Districts. The establishment of the Local Historic districts would give the city the authority to follow ordinance Section XXV. Community Development wishes to emphasize that the property owners will not be contacted or be required to go before the Architectural Review Board unless they plan to make changes to their buildings. Property owners already go before the ARB under Section XXV prior to changing their buildings, but the ARB is only an Advisory Board. The Design Guidelines were accepted by the Planning Commission and City Council in 2009. During the March Planning Commission meeting, about 25 people attended and from a show of hands of the group, all except one person was in favor of the establishment of the districts. On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council agreed to set a public hearing for April 27, 2010 to establish the Martinsville Historic District, the East Church St./Starling Avenue Historic District and the Fayette Street Historic Districts as

April 6, 2010

the Local Historic Districts of Martinsville. Mayor Lawson pointed out there are currently two vacancies on the Architectural Review Board and encouraged citizens to apply.

On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council approved both of the following consent agendas with appropriations of Federal American Reinvestment and Recovery Act Grant Programs and routine budget adjustments:

**BUDGET ADDITIONS FOR 04/06/10  
ARRA FUNDING**

<b>ORG</b>	<b>OBJECT</b>	<b>DESCRIPTION</b>	<b>DEBIT</b>	<b>CREDIT</b>
<b><u>FY10</u></b>				
<b><u>GENERAL FUND</u></b>				
01102926	436440	Categorical Federal - ARRA - Energy Efficiency Grant		400,000
01431162	508220	City Hall Maintenance - Physical Plant Expansion Recovery & Reinvestment Act Grant program	400,000	
01102926	436441	Categorical Federal - ARRA - Transportation Projects		2,389,000
01413151	508220	Thorofare Construction - Physical Plant Expansion Recovery & Reinvestment Act Grant program Liberty St	2,389,000	
<b>Total General Fund:</b>			<b>2,789,000</b>	<b>2,789,000</b>
<b><u>REFUSE FUND</u></b>				
09102926	436442	Categorical Federal - ARRA - Biomass Energy Grant		1,000,000
09425302	508220	Refuse - Landfill - Physical Plant Expansion Recovery & Reinvestment Act Grant program - Methane Project	1,000,000	
<b>Total Refuse Fund:</b>			<b>1,000,000</b>	<b>1,000,000</b>
<b><u>FY10</u></b>				
<b><u>ELECTRIC FUND</u></b>				
14102926	436440	Categorical Federal - ARRA - Energy Efficiency Grant		506,681
14561336	508220	Electric Generation - Physical Plant Expansion Recovery & Reinvestment Act Grant program - Hydro	506,681	
<b>Total Electric Fund:</b>			<b>506,681</b>	<b>506,681</b>
			<b>Grand Total</b>	<b><u>4,295,681</u></b>

**BUDGET ADDITIONS FOR 04/06/10**

<b>ORG</b>	<b>OBJECT</b>	<b>DESCRIPTION</b>	<b>DEBIT</b>	<b>CREDIT</b>
<b><u>FY10</u></b>				
<b><u>GENERAL FUND</u></b>				
01102926	436424	Categorical Federal - DCJS Info Tech Improvement Grant		37,500
01311085	508214	Police Dept. - DCJS Info Tech Improvement Grant	37,500	
01100909	490134	Recovered Costs - Recreation		350
01711210	506007	Recreation - Equipment & Supplies	350	
01100904	442401	Fines & Forfeitures - Local Conf Assets - Police		313
01311085	506118	Police Dept - Local Confiscated Assets	313	
01100904	442402	Fines & Forfeitures - Local Conf Assets - Comm Attorney		313
01221082	506118	Commonwealth's Attorney - Local Confiscated Assets	313	
01101916	434704	Categorical Shared Expenses - Circuit Ct Clk - Office Exp		5,451
01216076	506001	Circuit Court Clerk - Office Expense	5,451	
<b>Total General Fund:</b>			<b>43,927</b>	<b>43,927</b>

April 6, 2010

Council discussed the Virginia Municipal League's request to submit nominations for membership on the 2010 Policy Committees. Council agreed to submit the following membership on the VML 2010 Policy Committee: Environmental Quality—Mayor Kathy Lawson, General Laws—Council Member Gene Teague, Human Development & Education—Council Member Mark Stroud, Transportation—Vice Mayor Kimble Reynolds. Council Member Danny Turner stated he wished to be taken off the Community & Economic Development Committee and chose not to serve on any committee. On a suggestion from Mayor Lawson, City Attorney Eric Monday agreed to serve on the Community & Economic Development Committee. These appointments as agreed upon will be forwarded to VML.

Business from the floor: Dr. Mervyn King, 29 Jones St., pointed out that to grow, we must have regulations and he reported work is continuing on the historic Courthouse.

Comments-Council: Stroud—mentioned Millner family deaths due to fire, reminded citizens to donate blood & get on organ donor list; reminded all of his April 14 surgery date. Turner—saddened at passing of Carl Cooper, noted has received calls about status of road repairs on Lanier Road. Lawson—reminder about dedication of fire station Tuesday, encouraged all citizens to send in census forms, reminder about Hazardous Waste Day April 17, reminder to Council that student essay winners will be recognized, reported that a business Uptown had their trash out on Saturday evening, commended city manager and staff on great job in securing stimulus money for our area.

Comments-City Manager: reminder that budget to be presented April 21, reported the City received notification that we are have been designated a Tree City Community; reported there is a \$39,000 savings on the City's insurance policy premium this year due to Safety Officer and Finance staff working closely with VML and implementing several policy changes and due to the Police Department being accredited, update on Lanier Road—process underway to seek grant funding for the engineering work to lower cost to taxpayers of repairs.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Kimble Reynolds, seconded by Danny Turner, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) Consultation with legal counsel and briefings by

April 6, 2010

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 said Session. On a motion by Kimble Reynolds, seconded by Mark Stroud, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council returned to Open Session. Upon returning to open session, a motion was made by Gene Teague, seconded by Danny Turner, with a 5-0 vote, to adopt the following furlough policy for the City of Martinsville:

**STATEMENT OF POLICY**

It is the policy of the City of Martinsville to implement an employee furlough program, when necessary, to avoid layoffs and to ensure that the City meets its commitment to the citizens of Martinsville. This procedure will be used only after all other options have been explored by divisions to cut operating costs. A furlough action is the placement of a full-time employee into a temporary non-duty and non-pay status. It can be on a continuous basis (for example: 1 or more consecutive days), or a non-continuous basis (for example: 4 hours per month). A furlough is not a layoff or reduction in force action. In the event that the City Manager determines that cost savings measures should be taken, which includes the reduction of personnel costs, the City may implement a "Furlough Without Pay Plan".

**Reasons for Furlough**

Furlough is caused by any one of the following reasons:

1. Lack of work
2. Shortage of available funds
3. Insufficient personnel operations
4. Reorganization
5. Reclassification of an employee's position due to erosion of duties when such action will take effect after a formal announcement of a reduction in force.

**Furlough Impact on Employment Compensation and Benefits**

1. No form of salary compensation may be taken (i.e., annual, compensatory or administrative leave). Holidays shall be paid as usual.
2. All existing benefits that have been paid by the City shall continue to be paid (health insurance-City portion, VRS retirement, and life insurance). All deductions previously paid by the employee shall continue to be taken out of the employee's check when a check has been issued with sufficient funds. In other cases, it shall be the employee's responsibility to make arrangements to pay their portion of benefits or other payroll deductions. This would include, health, dental, deferred compensation, credit union, Christmas club, YMCA dues, optional life, and court-ordered payments, etc.
3. There shall be no loss of seniority with the City, department, or with the position. There is no break in service.
4. All accrual benefits shall continue as if the employee were working (i.e., annual and sick leave).
5. The City Manager will have the authority to determine the application of furlough leave for all full-time employees. The department director along with their respective supervisors will be responsible for review of the payroll information during the affected pay period.

**Documentation and Reporting**

Due to federal regulations, City departments must provide proper documentation regarding employee furloughs to Human Resources. This should include such information as employee name, furlough date(s), and signatures of employee, supervisor and department director.

For regular monthly accrual leave report documentation (Employee Time Record), furlough dates should also be noted.

In any week during which a furlough day is required, employees are not permitted, without advanced written approval, to work in excess of 8 hours per day on the days during such week that are not furloughed, or over 40 hours per week. Exempt employees shall be entitled to overtime pay for any hours worked in excess of 40 hours per week during any week in which a furlough day is required.

There being no further business, Mayor Lawson adjourned the meeting at 10:03 PM.

---

Clarence C. Monday, Clerk of Council

---

Kathy C. Lawson, Mayor