

April 9, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held on April 9, 2013, in Council Chambers, Municipal Building, at 7:30 PM, 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, City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Wayne Knox, and Eddie Cassidy.

Following the invocation by Mayor Kim Adkins and Pledge to the American Flag, the Mayor welcomed everyone to the meeting including Boy Scout Troop members from Troop 168. Mayor Adkins then advised that City Council will recess and convene as Martinsville Redevelopment & Housing Authority.

MRHA—Approval on second reading of updated Section 8 Administrative Plan—Wayne Knox briefed the Authority members on the rewrite of the Administrative Plan for the Section 8 Housing Choice Voucher program and advised no comments have been received during the 30 day required comment period. On a motion by Gene Teague, seconded by Sharon Hodge, with a 5-0 vote, the Authority approved the updated Section 8 Administrative Plan on second reading. Martinsville Redevelopment & Housing Authority then adjourned and Martinsville City Council was re-convened.

Minutes: On a motion by Mark Stroud, seconded by Danny Turner, Council approved the minutes of the February 26, 2013 meeting.

Public hearings regarding Baldwin Block “orphan” lot & transfer tax parcel: City Attorney Eric Monday briefed Council reporting the following information regarding a housekeeping measure that needs to be cleared up regarding the Baldwin Block:

One small 30-foot wide lot was not deeded to the City in 1996, when the lots along Barton Street were being acquired. The most likely reason is that a house had been constructed straddling a lot line, and City records had erroneously shown this as a single lot since at least the 1960s. Regardless of the reason for the error, it must be corrected in order for NCI to have clear title. Concurrent action for condemnation and adverse possession (the City has assumed this lot was, and has treated it as, City property for over 15 years) is recommended. Condemnation will allow immediate transfer to NCI. The requested action is: (1) conduct a public hearing concerning condemnation of the lot and approve condemnation and filing of a Certificate of Taking. (2) Conduct a public hearing concerning transfer of the lot to NCI and approve transfer to NCI.

After lengthy Council discussion, the Mayor opened the public hearing for condemnation of the lot Tax Map #32(01)D/19 being Lot 5 of Baldwin Block. No comments were made and the Mayor closed the public hearing. A motion was made by Gene Teague, seconded by Danny Turner, with a 5-0 vote, to file the certificate of taking in amount of \$10,000 to define the condemnation as public taking which serves the expansion of NCI.

Mayor Adkins opened the second public hearing to transfer this tax parcel to NCI and notify heirs. No comments were made and the Mayor closed the public hearing. A motion was made by Gene Teague, seconded by Danny Turner, with a 5-0 vote, to transfer the lot Tax Map#32(01)D/19 to NCI.

Resolution regarding April as Fair Housing Month: After a briefing by Wayne Knox, a motion was made by Gene Teague, seconded by Sharon Hodge, with a 5-0 vote, to adopt the 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 9th day of April, 2013, 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.

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Ordinance approval on second reading setting City Manager job duties and salary : 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 approved the following Ordinance 2013-U-1 (uncodified) establishing the compensation for the new City Manager, Leon Towarnicki:

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 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.

Signature page for above ordinance:

Attest:	
	
Kim E. Adkins Mayor	Brenda Prillaman Clerk of Council
March 26, 2013 Date Adopted	
April 9, 2013 Date Effective	

April 9, 2013

Overview of Westside Neighborhood Meeting: Mayor Adkins gave a brief overview of citizen concerns mentioned at the April 8, 2013 Council Neighborhood Meeting held at Albert Harris School, some of which have already been addressed by city staff.

Business from floor: no comments.

Council comments: Stroud-pleased at Uptown revitalization moving forward with dirt moving at NCI property; Turner-congratulations to Jamie Clark on his April fool's joke.

City Manager comments: Towarnicki-reminded Council of Thursday's budget presentation.

There being no further business, the meeting adjourned at 8:10pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor