

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA

Council Chambers – Municipal Building

7:30 pm regular session

Tuesday, May 28, 2013

7:30—Regular Session

Invocation & Pledge to the American Flag– Mayor Kim Adkins

1. [Consider approval of minutes of April 9, 2013 and April 11, 2013.](#) (2 mins)
2. [Recognition of City Employees who are eligible for Service Awards–April--June 30, 2013.](#) (5 mins)
3. [Conduct a public hearing for the purpose of receiving/interviewing citizens interested in appointment for one 3-year position beginning July 1, 2013 and ending June 30, 2016 to the City's School Board.](#) (10 mins)
4. [Consider approval of FY2013-2014 Budget ordinance, on second reading, establishing the City's budget and tax rates FY14.](#) (5 mins)
5. [Consider approval of ordinance amendment, on first reading, regarding Tax on Prepared Food & Beverages to 6.5%.](#) (5 mins)
6. [Consider approval of request from Transportation Safety Commission regarding Bylaws change.](#) (5 mins)
7. [Consider approval of consent agenda.](#) (2 mins)
8. Business from the Floor
This section of the Council meeting provides citizens the opportunity to discuss matters, which are not listed on the printed agenda. In that the Council meetings are broadcast on Martinsville Government Television, the City Council is responsible for the content of the programming. Thus, any person wishing to bring a matter to Council's attention under this Section of the agenda should:
 - (1) **come to the podium and state name and address;**
 - (2) **state the matter that they wish to discuss and what action they would like for Council to take;**
 - (3) **limit remarks to five minutes;**
 - (4) **refrain from making any personal references or accusations of a factually false and/or malicious nature.****Persons who violate these guidelines will be ruled out of order by the presiding officer and will be asked to leave the podium.**
Persons who refuse to comply with the direction of the presiding officer may be removed from the chambers.
9. Comments by members of City Council. (5 mins)
10. Comments by City Manager. (5 mins)

CLOSED SESSION:

Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:

- A. Appointments to Boards & 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.



City Council Agenda Summary

Meeting Date: May 28, 2013

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes of City Council meetings April 9, 2013 and April 11, 2013.

Summary: None

Attachments: [April 9, 2013](#)
[April 11, 2013](#)

Recommendations: Motion to approve minutes as presented

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.

April 9, 2013

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

April 11, 2013

A special meeting of the Council of the City of Martinsville, Virginia, was held on April 11, 2013, in Council Chambers, Municipal Building, at 7:00 PM, to receive the City Manager's FY14 budget recommendations with Mayor Kim Adkins presiding. Council Members present included: Mayor Adkins, Vice Mayor Gene Teague, Danny Turner, Sharon Brooks Hodge and Mark Stroud. Staff present included: Leon Towarnicki, City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Mike Rogers, and Donna Odell.

City Manager, Leon Towarnicki presented the proposed FY14 budget for Council's consideration. The presentation and proposed FY14 budget is to be posted on the city's website.

No action was taken at this time to set a public hearing for the FY14 budget. Budget worksession dates will be coordinated with Council by Mrs. Prillaman.

There being no further business, the meeting adjourned at 7:45 pm.

Brenda Prillaman, Clerk of Council

Kim Adkins, Mayor

Meeting Date: May 28, 2013

Item No: 2.

Department: Human Resources

Issue: Recognition of City Employees who are eligible for Service Awards – April 1 through June 30, 2013.

Summary: The Service Award Program is designed to build individual morale and show appreciation to the long-service employee for their faithful service to the City of Martinsville.

Attachment: Listing of City Employees who are eligible for the service award for the fourth quarter of FY 12-13.

TO BE READ BY MAYOR. NO ACTION NECESSARY

**SERVICE AWARD RECIPIENTS
FOURTH QUARTER – FISCAL YEAR 12-13
FOR THE PERIOD OF APRIL 1 – THROUGH JUNE 30, 2013**

Employee	Department	Service
Danny Cole	Public Works	5
Ronnie Gammons	Public Works	5
Krystal Davis	Sheriff	5
Kenith Shumate	Fire	10
Tim Agee	Electric	15
Steve Burgess	W/W Plant	20
Jackie Dillard	Sheriff	20
Ronald Nance	Utility Billing	25
Jimmy Blankenship	Electric	25
Bobby Phillips	Fire/Safety	35
Donna O'Dell	Human Resources	40



City Council Agenda Summary

Date: May 28, 2013

Item No: 3.

Department: City Attorney

Issue: Conduct a public hearing for the purpose of receiving/interviewing citizens interested in appointment for one three-year position beginning July 1, 2013 and ending June 30, 2016 to the Martinsville City School Board.

Summary: Pursuant to Code of Virginia section 22.1-29.1 a public hearing is necessary to introduce and consider names of persons interested in appointment to a vacancy on the Martinsville School Board and to receive the views of citizens within the school division. This state code section also states that no nominee or applicant whose name has not been considered at the public hearing shall be appointed as a school board member.

Further, the actual appointment must be made at least seven days after the hearing; appointment will therefore be on the June 11, 2013 agenda.

Attachments: [current Martinsville School Board](#)

Recommended Action: Conduct the public hearing and consider interviewing applicants in closed session.

MARTINSVILLE SCHOOL BOARD

Three-Year Terms

CURRENT MEMBERSHIP

TERM EXPIRES

Bill R. Manning

6/30/13

Craig B. Dietrich

6/30/14

J. C. Richardson

6/30/14

Carolyn McCraw

6/30/15

Robert Williams

6/30/15



City Council Agenda Summary

Meeting Date: May 28, 2013

Item No: 4.

Department: City Attorney

Issue: Consider approval of ordinance regarding FY2013-2014 Budget, on second reading, establishing the City's budget and tax rates for FY14.

Summary: Attached is the summary of the 2013-14 Budget in Ordinance Form.

Attachments: [Ordinance](#) #2013-U-2

Recommended Action: Motion to adopt ordinance on second reading with a roll call vote.

City of Martinsville, Virginia
ORDINANCE NO. 2013- U-2
The Budget for Fiscal Year 2013-2014

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled May 14, 2013, that the following sums of money be and hereby are appropriated – by specified Fund – for the City’s fiscal year ending June 30, 2014, from the following Fund sources of estimated revenue:

SUMMARY STATEMENT OF BUDGET ESTIMATES, 2013-2014

	Projected Fund Balance 06/30/13	Projected Revenues FY13-14	Budgeted Exp/Transfers FY13-14	Budgeted Depreciation	Projected Fund Balance 06/30/14	Net (Decrease) Increase
General Fund	\$6,183,809	\$29,332,826	\$30,393,005		\$ 5,123,630	\$ (1,060,179)
Meals Tax	\$ 801,197	\$ 1,900,250	\$ 1,900,250		\$ 801,197	0
Capital Reserve	\$ 37,887	\$ 710,809	\$ 710,809		\$ 37,887	0
TOTAL CAPITAL FUNDS	\$ 839,084	\$ 2,611,059	\$ 2,611,059		\$ 839,084	0
Refuse	\$2,070,034	\$ 1,797,000	\$ 2,097,136	\$ 150,000	\$ 1,919,898	\$ (150,136)
MINET/Fiber	\$ 0	\$ 561,601	\$ 561,601	\$ 0	\$ 0	0
Water	\$ 720,181	\$ 3,306,040	\$ 3,779,567	\$ 250,000	\$ 496,654	\$ (223,527)
Sewer	\$1,245,051	\$ 4,010,012	\$ 4,841,109	\$ 400,000	\$ 813,954	\$ (431,097)
Electric	\$4,979,375	\$17,426,072	\$18,821,027	\$ 400,000	\$ 3,984,420	\$ (994,955)
TOTAL UTILITY FUNDS	\$9,014,641	\$27,100,725	\$30,100,440	\$1,200,000	\$ 7,214,926	\$(1,799,715)
Cafeteria	\$ 815,490	\$ 1,701,710	\$ 1,701,710		\$ 815,490	0
Schools	\$ (108,298)	\$21,318,895	\$ 21,318,895		\$ (108,298)	0
School Grants	\$ 23,061	\$ 0	\$ 0		\$ 23,061	0
TOTAL SCHOOL FUNDS	\$ 730,253	\$23,020,605	\$ 23,020,605		\$ 730,253	0
CDBG	\$(627,574)	\$ 216,362	\$ 216,362		\$(627,574)	0
Housing Choice	\$ (3,758)	\$ 2,357,275	\$ 2,357,275		\$ (3,758)	0
TOTAL SP REV FUNDS	\$(631,332)	\$ 2,573,637	\$ 2,573,637		\$(631,332)	0
TOTAL ALL FUNDS	\$16,136,455	\$84,638,852	\$88,698,746	\$1,200,000	\$13,276,561	\$ (2,859,894)

Tax Rates:

Real Estate: \$1.0621 per \$100 assessed value
Personal Property: \$2.30 per \$100 assessed value (unchanged)
Machinery & Tools: \$1.85 per \$100 assessed value (unchanged)

Meals Tax Rate:

Six and one-half (6.5) percent on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.

Proposed Refuse Rate Increases from Current Rates:

<u>Rate Class</u>	<u>Proposed Increase</u>
Residential Service	\$2.25/month = \$18.50/month
Commercial Service	\$1.50/month = \$26.00/month

BE IT FURTHER ORDAINED by said Council that this Ordinance shall be effective on and after July 1, 2013.

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective



City Council Agenda Summary

Date: May 28, 2013

Item No: 5.

Department: City Attorney

Issue: Consider approval of ordinance, on first reading regarding meals tax levy.

Summary: While the meals tax has been increased from six (6) to six and one-half (6½) percent in the FY 2013-14 Budget Ordinance, the levy also appears in section 21-75 of the City Code, which must also be amended (deletions in ~~striketrough~~, additions in *italicized underlined*).

Attachments: [amended ordinance](#)

Recommendations: Motion to approve, on first reading, with a roll call vote.

City of Martinsville, Virginia

Ordinance No. 2013-4

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in Regular Session held on June 11, 2013, that Section 21-75 of the Code of the City of Martinsville, be, and hereby is, amended to read as follows:

Sec. 21-75. Levy.

There is hereby imposed and levied by the city on each person a tax at the rate of ~~six (6)~~ *six and one-half (6 1/2)* percent on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.

* * * * *

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective

Meeting Date: May 28, 2013

Item No: 6.

Department: Public Works/Police

Issue: Consider approval of requested change in Transportation Safety Commission's Bylaws

Summary: For the past several years, the Transportation Safety Commission has had difficulty in maintaining enough regular members to effectively conduct the commission's business, even though efforts to recruit new members have failed. Some of the current serving members have either resigned from the commission or moved into the County.

The commission is currently set up to have 9 regular members; however current attendance averages between 3 and 4 members.

At the Transportation Safety Commission's regularly scheduled meeting of April 8, 2013, the members unanimously voted to submit proposed changes to the commission's bylaws to allow Henry County residents to serve on the commission, and to reduce the number of members present, required for a quorum, from 4 to 3 regular members.

During the City Manager's normal weekly meeting with the Mayor and Vice-Mayor, an idea was discussed of possibly folding the work/responsibilities of TSC into the activities of the Planning Commission. The idea was vetted to the Planning Commission on May 7, 2013, and after much discussion and consideration, the Planning Commission voted to not assume the responsibilities of the Transportation Safety Commission.

Attachments: [TSC Proposed Bylaw Revisions 2013](#)
[Planning Commission Summary 5-7-13](#)
[Planning Commission Memo on TSC 5-16-13](#)

Recommendations: Given the difficulties in maintaining the required membership and quorum for the commission, and given the fact that we have county residents wishing to reside on the commission who have a vested interest in the transportation use of, and safety of City maintained streets, we recommend Council approve the revisions to the bylaws as presented.

Motion to approve requested change.

**BYLAWS
OF THE
MARTINSVILLE TRANSPORTATION SAFETY COMMISSION**

As Amended and Approved by the City Council:

**March 11, 1997
March 25, 2003
November 8, 2005
June 9, 2009
January 26, 2010**

**ARTICLE I
CREATION**

Section 1.1 The Martinsville Transportation Safety Commission was created by action of City Council pursuant to powers granted in Chapter 2, Section 5 of the Code of the City of Martinsville, Virginia. The Commission was created to advise the City Administration and City Council in matters pertaining to transportation and safety in the City of Martinsville.

**ARTICLE II
MEMBERSHIP**

Section 2.1 The Commission shall consist of up to nine regular members and two representatives of the student body of Martinsville High School appointed by the City Council.

Section 2.2 Members shall be citizens of the City of Martinsville or the County of Henry, appointed at large to represent various geographic areas and other interests. No more than a combination of two employees of the City or Constitutional Offices shall serve on the Commission at any one time.

Section 2.3 The Commission shall receive full and effective staff support from the City Administration, by a person(s) to be designated by the City Manager. This support shall include serving as the secretary for the Commission, agenda development, preparation of reports and recommendations, required research, and any other services necessary to assist the Commission in its functions.

**ARTICLE III
TERMS OF MEMBERS AND VACANCIES**

Section 3.1 Terms of the nine regular members shall be four years, but staggered whereby five members and then four members would be appointed.

Representatives of the student body of Martinsville High School shall be appointed annually and serve the Commission during the school year.

- Section 3.2 All regular members shall be eligible to serve three successive terms provided they continue to satisfy the basic and respective criteria upon which they were originally appointed. They will be ineligible for reappointment for a period of one year, unless there are an insufficient number of qualified applicants to fill all vacancies.
- Section 3.3 Should mid-term vacancies occur among regular member positions, or when terms expire as provided herein, the Commission as a whole and/or as individuals shall be entitled to submit nominations for City Council's consideration in appointing replacements.

ARTICLE IV **OFFICERS**

- Section 4.1 The officers shall be the Chairperson and the Vice Chairperson. The Chairperson and Vice Chairperson shall be elected for a two-year period. The Chairperson shall serve not more than two consecutive terms. In the event of a vacancy in either office, an election to fill the vacancy shall be held at the next meeting of the Commission or as soon thereafter as practicable.
- Section 4.2 The Chairperson shall cause an agenda to be prepared for each meeting and shall preside thereat. The Chairperson shall also appoint such ad hoc or standing committees from the membership of the Commission as are deemed necessary. The Chairperson shall sign correspondence, reports and recommendations on the part of the Commission and shall otherwise represent the Commission in its proper relationships with the City Council, the City Administrator, State and Federal agencies, and the public.
- Section 4.3 The Vice Chairperson shall serve in the absence of the Chairperson.
- Section 4.4 A Recording Secretary shall be provided, at the direction of the City Manager, to assist the Chairperson in development and dissemination of the agenda and in recording accurate minutes of all meetings. Minutes of each meeting shall be forwarded to Commission members with the next regularly scheduled Commission meeting agenda and to members of City Council with the next regularly scheduled Council agenda following the monthly meeting of the Commission. All records of the Commission shall be made available to the news media and the public in a timely way by the Recording Secretary.

ARTICLE V
MEETINGS

- Section 5.1 The Commission shall meet once each month, except July, at a time and day agreed on in advance by the Commission, or at the call of the Chairperson. The Chairperson may cancel any monthly meeting when it is deemed appropriate.
- Section 5.2 Meetings shall convene at the appointed time, except when members are specifically notified otherwise.

ARTICLE VI
QUORUM AND ATTENDANCE

- Section 6.1 No business of the Commission can be conducted at any meeting thereof without the presence of a quorum, consisting of at least ~~four~~ **three** regular members.
- Section 6.2 Members are expected to attend all regularly scheduled meetings. Any member having missed five regularly scheduled meetings in a calendar year shall be so notified in writing by the Chairperson. The Chairperson may report such fact to the City Council, who may determine the necessity of replacing such member.

ARTICLE VII
GOALS, FUNCTIONS AND PROGRAMS

- Section 7.1 The goals of the Commission shall be as follows:
- a) To serve as a forum for various community groups and interests whose concerns include safer streets and highways;
 - b) To provide active leadership and to solicit increased citizen participation in all aspects of transportation safety;
 - c) To consistently reduce each year the total number of transportation accidents, with special emphasis on avoidance of those accidents resulting in serious bodily injury and death.
- Section 7.2 The functions of the Commission shall include, but not be limited to the following:

- a) Reviewing State and Federal highway safety standards, assessing local conditions, and determining the existence of local deficiencies as to those standards;
- b) Making recommendations to the City Council as to policy decisions to enhance transportation safety in the City by the adoption or amendment of appropriate regulatory ordinances;
- c) Making recommendations to the City Council as to major capital expenditures or necessary efforts to correct other than routine transportation safety problems or conditions;
- d) Reviewing reports, surveys and studies by the City's staff and others as to accident records, specific safety needs and programs and other activities;
- e) Making recommendations for corrective action to the City's staff and/or the State Department of Highways and Transportation concerning specifically identified locations or conditions on local streets considered to be accident prone;
- f) Working cooperatively with the City Planning Commission and the West Piedmont Planning District Commission, as required, in the development of local and regional transportation safety plans;
- g) Developing public information programs and enlisting the assistance of all local organizations (PTA/PTO's, civic clubs, etc.) in generating overall public awareness of the need for safe transportation practices and the prevention of accidents;
- h) Serving as a liaison with the State Department of Highways and Transportation and, through this relationship, to maintain the City's eligibility for grant funding whenever available from the Federal Highway Safety Act of 1966 and other such State or Federal assistance programs;
- i) Updating the appendices to these Bylaws as to membership matters and major accomplishments.

ARTICLE VIII
AMENDMENTS

Section 8.1 These Bylaws may be amended by a two-thirds vote of the Commission in attendance, provided that a quorum is present and further provided that written notice of proposed amendments are first given to each member not less than ten days prior to the regular or called meeting at which such amendments are to be considered.

Section 8.2 Amendments so adopted shall not become effective until duly ratified by City Council.



Planning Commission Meeting Date: May 7, 2013

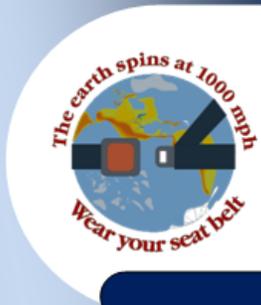
Issue: Martinsville Transportation Safety Commission

Summary: On the draft Council agenda for the April 23rd meeting, there was an item regarding amendment of the bylaws for the Martinsville Transportation Safety Commission to make two significant changes – (1) to allow residents of Henry County to serve on the Commission, and (2) to reduce the quorum number from 4 to 3 members. These changes, requested by the TSC, are in response to the growing difficulty in finding individuals willing to serve on this important and long-standing commission.

During the City Manager's normal weekly meeting with the Mayor and Vice-Mayor, recognizing the difficulty in finding willing participants to serve on the TSC, an idea was discussed of possibly folding the work/responsibilities of TSC into the activities of the Planning Commission. At this point the idea is simply being explored, and the TSC request for by-laws changes has been removed from the Council agenda for the time being.

This issue is now being brought up for discussion at the Planning Commission Meeting.

Attachments: TSC Agendas for February 7th and April 8th, 2013
Agenda Enclosures
Project List
City Tour Sites from April 2012
TSC By-Laws
Proposed By-Law Changes



City of Martinsville

Transportation Safety Commission

AGENDA

- Date** Thursday, February 7, 2013
- Time** 9:45 a.m.
- Place of Meeting** Martinsville High School Conference Room
1. Call to Order
 2. Invocation
 3. Declaration of a Quorum
 4. Consider approval of the Minutes of the November 1, 2012 meeting. (Enclosure 1)
 5. Consider approval of the Agenda.
 6. **OLD BUSINESS**
 - A. **Membership Vacancies**
 - I. Vacancies are still being advertized over MGTV
 - B. **Project List** (Enclosure 2)
 - **Stroller Article for December** – Member Sharpe
 - C. **YOVASO Update** – SRO Martin
 - D. **Uptown Truck Route** – Update on additional signage – Chris Morris
 - E. **Christmas Parade** – Laurel Park Auto provided a truck and wrecked vehicle for the Commission's entry.
 - F. **Save a Life Tour/Distracted Driving** – SRO Martin
 7. **NEW BUSINESS**
 - A. **Student Members**
 - B. **Change of requirements to serve on Commission** – Letter to be drafted to Council
 8. **STAFF REPORTS**
 - A. **Administrative Support**
 - I. City Manager's Office
 - II. Police Department
 - a. Traffic Report (Enclosure 3)
 - B. **Attendance Report** (Enclosure 4)
 - C. **Financial Report** (Enclosure 5)



City of Martinsville

Transportation Safety Commission

AGENDA

Date
Time
Place of Meeting

Monday, April 8, 2013

9:45 a.m.

Martinsville High School Conference Room

1. Call to Order
2. Invocation
3. Declaration of a Quorum
4. Consider approval of the Minutes of the April 8, 2013 meeting. (Enclosure 1)
5. Consider approval of the Agenda.
6. **OLD BUSINESS**
 - A. **Membership Vacancies**
 - I. Vacancies are still being advertized over MGTV
 - B. **Project List** (Enclosure 2)
 - **Stroller Article for April** – Member Sharpe
 - C. **YOVASO Update** – SRO Gravely
 - D. **Uptown Truck Route** – Update on additional signage – Chris Morris
 - E. **Christmas Parade** – Laurel Park Auto provided a truck and wrecked vehicle for the Commission's entry. They were very appreciative that the media announced who provided the truck.
 - F. **Save a Life Tour/Distracted Driving** – SRO Gravely
7. **NEW BUSINESS**
 - A. **Student Members**
 - B. **Change to By-Laws** – Members were emailed proposed changes and a vote will be taken at the meeting.
 - C. **Sprucedale/Spruce Street** – Motorists are making illegal left turns from Sprucedale onto Spruce to go into the parking lot at Dollar General Store. (PW has installed a Right Turn Only sign and will continue to monitor the intersection for a possible traffic signal warrant.)
8. **STAFF REPORTS**
 - A. **Administrative Support**
 - I. City Manager's Office
 - II. Police Department
 - a. Traffic Report (Enclosure 3)
 - B. **Attendance Report** (Enclosure 4)
 - C. **Financial Report** (Enclosure 5)



City of Martinsville

Transportation Safety Commission

Minutes of November 1, 2012

MEMBERS PRESENT:

Ralph Lawson, Chairperson
Mitzi Dailey, Vice Chairperson
Doug Sharp
Tripp Smith
Colby Sarver
Abby Ozbun

ADMINISTRATIVE APPOINTEES PRESENT:

Capt. Marshall Thomas
Chris Morris, Engineer

GUESTS:

SRO Ryan Martin

1. The meeting was called to order by Chairperson Lawson.
2. The invocation was given by Chairperson Lawson.
3. A quorum was declared.
4. Minutes of August meeting were approved.
5. The agenda was approved with one addition to New Business:
-Corn Tassel/Spruce Street four-way stop

OLD BUSINESS

- A. **Membership Vacancies**
 - None of the four vacancies have been filled.
 - Student Members – Colby Sarver was re-appointed and Abby Ozbun was appointed for the 2013 school year.
- B. **Project List** (Enclosure 2)
 - Stroller article for November – “Entering a Multi-Lane Highway”
- C. **YOVASO** – SRO Martin said that a YOVASO representative visited with him week before last. He plans to have an organizational meeting next Wednesday and is expecting a good turnout.
- D. **Franklin Street – Handicap Parking Spaces/Signs** – New, more visible signs have been installed.
- E. **Look Twice – Save a Life** – At the August meeting, Member Sharpe suggested that a wrecked motorcycle, bike, moped, etc. be displayed in a conspicuous place, possibly

at the high school, with a sign attached urging motorists to “look twice, save a life.” This item will be placed on the project list and revisited at a later date.

- F. **Uptown Truck Route** – Chris Morris said that several “No Trucks” signs have come down, especially on Church Street. He also noted that most GPS programs do not make provisions for truck drivers. One location where truck drivers mistakenly enter the uptown area is when they are traveling on Liberty and proceed through the traffic light at Commonwealth in the area of U S Cellular.
- G. **Distributing Safety Items at Cruise-Ins** – This item will be tabled until sometime closer to the event. (Added to project list.)

6. NEW BUSINESS

- A. **Student Members** – Reported they don’t feel as safe parking in the front lot of the high school. Unfortunately, renovation of the school will be a three year project.
- B. **Save a Life Tour/Distracted Driving** – SRO Martin reported that he is planning to schedule this event around prom time. He said the US Army Recruitment Office has volunteered to help with funding. He also plans to have a YOVASO fundraiser. Several members said they would like for the Commission to help also.
- C. **Skid Car** – Member Sharp suggested an event using the Skid Car from the Piedmont Regional Criminal Justice Training Academy, where students would actually be able to drive a car, accompanied by an instructor, that would teach them how to respond in a skid. (Added to project list.)
- D. **Speeding at Lavinder Street/Memorial Blvd** – Speed limit signs have been installed and police officers have worked extra enforcement in the area.
- E. **Uneven Sidewalk on Jones Street** – Chris Morris said that some trip hazards have been cut down and his department will look at this area. There is work along Jones Street scheduled for the near future and this section may be replaced at that time.
- F. **Christmas Parade** – Members decided Commission will participate. Member Smith will contact a towing company to provide a wrecked vehicle on a flatbed truck. Janet Hiatt will make sure someone at the Police Department will be responsible for attaching the banners to the truck.
- G. **Four Way Stop at Corn Tassel and Spruce** – City received a Website comment: motorist said he was almost involved in a crash because of another motorist running a stop sign. After discussion, Member Smith made a motion as follows:

"The Martinsville Transportation Safety Commission supports the current configuration of the 4-way stop at the intersection of Corn Tassel Trail and Spruce Street Extension in Martinsville; and the Commission supports, when warranted, increased traffic enforcement at the intersection by the Martinsville Police Department at the discretion of the police department."

Mitzi Dailey seconded the motion. It was unanimously approved. Captain Thomas mentioned that he and the Chief had discussed using an unmarked car for traffic enforcement at this intersection.

7. STAFF/COMMITTEE REPORTS

A. **Administrative Support**

- City Manager's Office
 - Court House drop-off area – in process of getting bids for this work, which should begin in winter or early spring.
 - Fayette Street Area – Awarded a Community Development Block Grant to install brick pavers at crosswalks; will be meeting with consultants next week.
 - Revenue Sharing Project with Highway Department - \$450,000 to repave Church and Main Streets in order to be able to install stamped crosswalks. This project should begin within the next few years.
- Police Department
 - Traffic Report – Reviewed by Capt. Thomas

B. **Attendance report**- Approved.

C. **Financial report**

The meeting was adjourned. The next meeting will be December 6.

Janet Hiatt

Administrative Assistant

LOCATIONS VISITED ON TOUR OF CITY APRIL 5, 2012

LOCATION	PROBLEM	OBSERVATIONS/RECOMMENDATION	STAFF NOTES
Corn Tassel/Spruce intersection	Citizens' request: remove four-way stop at Corn Tassel/Spruce	Leave as is. Commission supports 4-way stop.	Signs will remain.
Chatham Heights	Citizens' request: lower speed limit due to excessive tractor-trailer traffic	No recommendation.	Cannot change speed limits without a study being performed.
Memorial Blvd. and Bridge St.	Janet Hiatt - At night or early morning, the "No Turn on Red" sign cannot be seen at all	Replace sign or place at another location to be more easily seen	Sign will be replaced with a larger, more reflective sign
Liberty Street at Stultz Road	Member Sharpe - Lacks "Yield on Green" signs at three of the stoplights	Place "Yield on Green" at each stop	No problems at this site. Will remain as is. City to monitor.
Clearview Drive intersection	Member Sharpe	Place "Yield on Green" at each stop	No problems at this site. Will remain as is. City to monitor.
Stephens Street	Member Sharpe - No speed limit sign coming up the street.	Replace sign.	Sign was stolen; has been replaced.
Church/Bridge intersection at Post Office	Chairman Lawson - "No Turn on Red" sign on Bridge Street - is it needed?	Remove the sign.	Will recommend that sign be removed.
Courthouse area	Chairman Lawson - update on work to be performed	Traffic congestion.	Work to continue through summer.
Main Street, turning into parking lot across from Pythian Bldg.	Chairman Lawson - "No thru traffic" sign for Bridge St parking lot - may need to be relocated.	Replace with new sign; turn sign to be more visible to motorists entering lot	Replace sign with new. Angle installation for better visibility.
City looking to make Bridge Street two-way between Church and Main.	Better traffic flow Uptown.	Need to study turn lanes.	

**BYLAWS
OF THE
MARTINSVILLE TRANSPORTATION SAFETY COMMISSION**

As Amended and Approved by the City Council:

March 11, 1997

March 25, 2003

November 8, 2005

June 9, 2009

January 26, 2010

**ARTICLE I
CREATION**

Section 1.1 The Martinsville Transportation Safety Commission was created by action of City Council pursuant to powers granted in Chapter 2, Section 5 of the Code of the City of Martinsville, Virginia. The Commission was created to advise the City Administration and City Council in matters pertaining to transportation and safety in the City of Martinsville.

**ARTICLE II
MEMBERSHIP**

Section 2.1 The Commission shall consist of up to nine regular members and two representatives of the student body of Martinsville High School appointed by the City Council.

Section 2.2 Members shall be citizens of the City, appointed at large to represent various geographic areas and other interests. No more than a combination of two employees of the City or Constitutional Offices shall serve on the Commission at any one time.

Section 2.3 The Commission shall receive full and effective staff support from the City Administration, by a person(s) to be designated by the City Manager. This support shall include serving as the secretary for the Commission, agenda development, preparation of reports and recommendations, required research, and any other services necessary to assist the Commission in its functions.

**ARTICLE III
TERMS OF MEMBERS AND VACANCIES**

Section 3.1 Terms of the nine regular members shall be four years, but staggered whereby five members and then four members would be appointed.

Representatives of the student body of Martinsville High School shall be appointed annually and serve the Commission during the school year.

- Section 3.2 All regular members shall be eligible to serve three successive terms provided they continue to satisfy the basic and respective criteria upon which they were originally appointed. They will be ineligible for reappointment for a period of one year, unless there are an insufficient number of qualified applicants to fill all vacancies.
- Section 3.3 Should mid-term vacancies occur among regular member positions, or when terms expire as provided herein, the Commission as a whole and/or as individuals shall be entitled to submit nominations for City Council's consideration in appointing replacements.

ARTICLE IV **OFFICERS**

- Section 4.1 The officers shall be the Chairperson and the Vice Chairperson. The Chairperson and Vice Chairperson shall be elected for a two-year period. The Chairperson shall serve not more than two consecutive terms. In the event of a vacancy in either office, an election to fill the vacancy shall be held at the next meeting of the Commission or as soon thereafter as practicable.
- Section 4.2 The Chairperson shall cause an agenda to be prepared for each meeting and shall preside thereat. The Chairperson shall also appoint such ad hoc or standing committees from the membership of the Commission as are deemed necessary. The Chairperson shall sign correspondence, reports and recommendations on the part of the Commission and shall otherwise represent the Commission in its proper relationships with the City Council, the City Administrator, State and Federal agencies, and the public.
- Section 4.3 The Vice Chairperson shall serve in the absence of the Chairperson.
- Section 4.4 A Recording Secretary shall be provided, at the direction of the City Manager, to assist the Chairperson in development and dissemination of the agenda and in recording accurate minutes of all meetings. Minutes of each meeting shall be forwarded to Commission members with the next regularly scheduled Commission meeting agenda and to members of City Council with the next regularly scheduled Council agenda following the monthly meeting of the Commission. All records of the Commission shall be made available to the news media and the public in a timely way by the Recording Secretary.

ARTICLE V
MEETINGS

- Section 5.1 The Commission shall meet once each month, except July, at a time and day agreed on in advance by the Commission, or at the call of the Chairperson. The Chairperson may cancel any monthly meeting when it is deemed appropriate.
- Section 5.2 Meetings shall convene at the appointed time, except when members are specifically notified otherwise.

ARTICLE VI
QUORUM AND ATTENDANCE

- Section 6.1 No business of the Commission can be conducted at any meeting thereof without the presence of a quorum, consisting of at least four regular members.
- Section 6.2 Members are expected to attend all regularly scheduled meetings. Any member having missed five regularly scheduled meetings in a calendar year shall be so notified in writing by the Chairperson. The Chairperson may report such fact to the City Council, who may determine the necessity of replacing such member.

ARTICLE VII
GOALS, FUNCTIONS AND PROGRAMS

- Section 7.1 The goals of the Commission shall be as follows:
- a) To serve as a forum for various community groups and interests whose concerns include safer streets and highways;
 - b) To provide active leadership and to solicit increased citizen participation in all aspects of transportation safety;
 - c) To consistently reduce each year the total number of transportation accidents, with special emphasis on avoidance of those accidents resulting in serious bodily injury and death.
- Section 7.2 The functions of the Commission shall include, but not be limited to the following:

- a) Reviewing State and Federal highway safety standards, assessing local conditions, and determining the existence of local deficiencies as to those standards;
- b) Making recommendations to the City Council as to policy decisions to enhance transportation safety in the City by the adoption or amendment of appropriate regulatory ordinances;
- c) Making recommendations to the City Council as to major capital expenditures or necessary efforts to correct other than routine transportation safety problems or conditions;
- d) Reviewing reports, surveys and studies by the City's staff and others as to accident records, specific safety needs and programs and other activities;
- e) Making recommendations for corrective action to the City's staff and/or the State Department of Highways and Transportation concerning specifically identified locations or conditions on local streets considered to be accident prone;
- f) Working cooperatively with the City Planning Commission and the West Piedmont Planning District Commission, as required, in the development of local and regional transportation safety plans;
- g) Developing public information programs and enlisting the assistance of all local organizations (PTA/PTO's, civic clubs, etc.) in generating overall public awareness of the need for safe transportation practices and the prevention of accidents;
- h) Serving as a liaison with the State Department of Highways and Transportation and, through this relationship, to maintain the City's eligibility for grant funding whenever available from the Federal Highway Safety Act of 1966 and other such State or Federal assistance programs;
- i) Updating the appendices to these Bylaws as to membership matters and major accomplishments.

ARTICLE VIII
AMENDMENTS

Section 8.1 These Bylaws may be amended by a two-thirds vote of the Commission in attendance, provided that a quorum is present and further provided that written notice of proposed amendments are first given to each member not less than ten days prior to the regular or called meeting at which such amendments are to be considered.

Section 8.2 Amendments so adopted shall not become effective until duly ratified by City Council.

Proposed By-Law Changes

Article II

Section 2.2 Members shall be citizens of the City **of Martinsville or the County of Henry**, appointed at large to represent various geographic areas and other interests. No more than a combination of two employees of the City or Constitutional Offices shall serve on the Commission at any one time.

Article VI

Section 6.1 No business of the Commission can be conducted at any meeting thereof without the presence of a quorum, consisting of at least ~~four~~ **three** regular members.



Martinsville
A CITY WITHOUT LIMITS

Memorandum

DATE: May 16, 2013

TO: Mayor Adkins and Vice-Mayor Teague

FROM: Martinsville Planning Commission
Jennifer N. Gregory, Secretary JG/TR

SUBJECT: Martinsville Transportation Safety Commission

The Planning Commission met on Tuesday, May 7, 2013, in response to the request that the Planning Commission discuss the idea of folding the work/responsibilities of the Transportation Safety Commission (TSC) into the activities of the Planning Commission. Four members of the TSC attended this meeting to openly discuss the idea. After much discussion and consideration, the Planning Commission voted to recommend that the work/responsibilities of the TSC not be folded into the activities of the Planning Commission. The motion passed unanimously (5-0). Planning Commissioners based their decision on the following factors:

- The TSC and the Planning Commission have very different goals and objectives.
- Transportation does not generally fall within the scope of the Planning Commission.
- Transportation is such an important safety issue that should be handled by individuals who have expertise in this field.
- The Planning Commission is not receptive to the idea of taking on any additional responsibilities than they are currently charged with.



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City Council Agenda Summary

Meeting Date: May 28, 2013
Item No: 7.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

The attachments amend the FY13 Budgets with appropriations in the following funds:

FY13:

General Fund: \$10,459 – Federal, State & Local Reimbursements; Donations; Recovered Costs.

Capital Reserve Fund: \$16,187 – Additional State Grant funding

Attachments: [Consent Agenda - 5-28-13.xls](#)

Recommendations: Motion to approve

BUDGET ADDITIONS FOR 5/28/13

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY13</u>				
<u>General Fund:</u>				
01100909	490136	Recovered Costs - Fire Training ATM		500
01321102	505500	Fire Department - Travel & Training	100	
01321102	503171	Fire Department - Fire Burn Bldg Maint - Labor	100	
01321102	506130	Fire Department - Fire Burn Bldg Maint - Materials	300	
		Recovered costs from April 2013 ATM course		
01101917	442402	Categorical Other State - Confiscated Assets - C Atty		301
01221082	506105	Comm Atty - Conf Assets State	301	
01101917	442401	Categorical Other State - Confiscated Assets - Police		902
01311085	506078	Police Dept - Conf Assets State	902	
		state asset forfeitures		
01102926	443157	Categorical Federal - Safe Routes to School		2,250
01413146	503140	Street Marking - Prof. Services - Engineering	2,250	
		Reimbursement-Safe Routes to School Project		
01100909	490801	Recovered Costs - Senior Citizens		6,156
01100908	480420	Misc. - Donations/Senior Citizens		350
01714212	506016	Senior Center - Program Supplies	2,309	
01714212	501300	Senior Center - Part-time Wages	2,602	
01714212	502100	Senior Center - Social Security	161	
01714212	502110	Senior Center - Medicare	38	
01714212	506049	Senior Center - Vehicle Fuels	1,396	
		Transportation Grant & Donations		
Total General Fund:			10,459	10,459
<u>Capital Reserve Fund:</u>				
16101918	416506	Grants - State - Rescue Squad Assistance Fund		16,187
16572362	508081	Major Tools & Equipment - EMS	16,187	
		Additional grant reimbursement for purchase of (2) defibrilators		
Total Capital Reserve Fund:			16,187	16,187