

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:00 pm CLOSED SESSION **7:30 pm regular session**
Tuesday, July 23, 2013

7:00--Closed Session

1. 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 and Commissions as authorized by Subsection 1.
 - B. A personnel matter as authorized by Subsection 1.

7:30—Regular Session

Invocation & Pledge to the American Flag—Council Member Mark Stroud

1. Consider approval of minutes of June 11, 2013 (2 mins)
2. Recognition of City Sheriff's office reaccreditation. (5 mins)
3. Recognition of retiring Police Chief Mike Rogers. (10 mins)
4. Presentation of proclamation for National Night Out August 6, 2013. (5 mins)
5. Presentation of proclamation regarding Smith River Week. (2 mins)
6. Consider setting dates and locations for Council's FY14 Neighborhood meetings. (5 mins)
7. Consider approval of ordinance, on first reading, regarding recovery of passport fees. (5 mins)
8. Consider approval of ordinance, on first reading, regarding unlawful sewer/water discharges. (5 mins)
9. Hear finance report. (5 mins)
10. Consider approval of consent agenda. (2 mins)
11. 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.
12. Comments by members of City Council. (5 minutes)
13. Comments by City Manager. (5 minutes)



City Council Agenda Summary

Meeting Date: July 23, 2013

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes of City Council meeting June 11, 2013.

Summary: None

Attachments: June 11, 2013

Recommendations: Motion to approve minutes as presented

June 11, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held on June 11, 2013, in Council Chambers, Municipal Building, at 7:30 PM, Closed Session beginning at 7:00PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Mark Stroud, Sharon Brooks Hodge and Danny Turner. Vice Mayor Gene Teague was absent. Staff present included: Leon Towarnicki, City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Dennis Bowles, Wayne Knox and Mike Rogers.

Mayor Adkins called the meeting to order and advised Council will go into Closed Session. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Mark Stroud, seconded by Danny Turner, with the following 4-0 recorded vote: Adkins, aye; Stroud, aye; Hodge, aye and Turner, aye, (Teague-absent), Council convened in Closed Session, for the purpose of discussing the following matters: (A) Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body as authorized by Subsection 29. (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.

At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during Session. On a motion by Sharon Brooks Hodge, seconded by Danny Turner, with the following recorded 4-0 vote: Adkins, aye; Hodge, aye; Stroud, aye; and Turner, aye, (Teague-absent), Council returned to Open Session.

Action taken: Mayor Adkins read the following press release regarding Stone Dynamics, Inc.:

Martinsville, VA (June 12, 2013) – The Martinsville City Council and the Martinsville-Henry County Economic Development Corporation are pleased to announce that Stone Dynamics, a local manufacturer of custom tops of granite and marble, is expanding their operations in the City of Martinsville, creating 44 new jobs and investing \$1.0 million in new equipment over the next three years.

Stone Dynamics, Inc., founded in 2000, uses state of the art equipment to fabricate marble and granite for the hospitality, commercial, and residential sectors. They recently acquired the former Coke building on Memorial Ave in the City of Martinsville to house their new manufacturing operations, retail and showroom space. The company expects to be operational in their new facility by July 1, 2013. The 44 new jobs are in addition to their current employment level of 42.

“Born and raised in the Martinsville-Henry County area, I am very proud of my hometown and the wonderful people in our community. I am very honored to be a small building block in the area’s continued success,” said Bob Lankford, Owner of Stone Dynamics.

The Martinsville-Henry County Economic Development Corp. worked in partnership with the City of Martinsville to secure the project. The project qualifies for local Enterprise Zone Grants offered by the City of Martinsville. In addition, the Tobacco Indemnification and Community Revitalization Commission approved \$310,000 in Tobacco Region Opportunity Funds for the project. Through the Virginia Jobs Investment Program, the Virginia Department of Business Assistance will also provide funding to support the Company’s recruitment and training activities.

“The EDC’s number one priority is to assist existing companies grow and expand. Stone Dynamics decision to expand locally is a testament to the strength of Martinsville-Henry County’s workforce and support services,” said Mark Heath, President/CEO of the Martinsville-Henry County Economic Development Corporation.

“The City of Martinsville is certainly pleased with Stone Dynamics’ decision to locate their operations in the former Coca-Cola plant on Memorial Boulevard,” said Kim Adkins, Mayor of the City of Martinsville. “It’s a good location and a great use of an existing facility, and we look forward to helping them grow their business. Their decision is a confirmation that our community continues to be a great place for existing businesses desiring to expand, or for new businesses seeking a start-up location.”

The mission of the Martinsville-Henry County Economic Development Corporation is to create new job opportunities and expand the tax base for the area. The organization strives to support and develop local industry, as well as market Martinsville-Henry County globally as an exceptional place to live, work and play.

The EDC is a public-private partnership between the City of Martinsville, Henry County, the Martinsville-Henry County Chamber of Commerce, the Martinsville-Henry County Chamber’s Partnership for Economic Growth (C-PEG) and the Harvest Foundation of the Piedmont

A motion was made by Mark Stroud, seconded by Sharon Brooks Hodge, with a 4-0 vote, to authorize the City Manager to sign the performance agreement with the Tobacco Commission for the expansion of Stone

June 11, 2013

Dynamics. The City Attorney disclosed on behalf of Council Member Turner that Mr. Turner will be selling this company AFLAC insurance.

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

Minutes: On a motion by Mark Stroud, seconded by Danny Turner, with a 4-0 vote, Council approved the amended minutes of the April 23, 2013 meeting. Mr. Turner requested the following text be added under his comments regarding the Piedmont Governor's School project: that he completely and totally supported the students' efforts.

EDC report: Mark Heath of the Martinsville-Henry County Economic Development Corporation presented the monthly report regarding activities. Mr. Heath also noted that the Stone Dynamics announcement is really good news for the area.

Father's Day Initiative recognition: Wayne Knox briefed Council on the Father's Day Initiative through the VA Department of Housing & Urban Development and asked for Council to affirm the recognition by the State and City. He also presented the Certificate of Recognition received from the Office of the Governor. The Department of Housing & Urban Development has requested that all housing authorities conduct an event in order to highlight the need for fathers to play a greater part in their families' lives. This is in line with HUD's 2010 – 2015 Strategic Plan Goal # 3: "using housing as a platform to improve the quality of life of our residents". This is the third year of this initiative. Thus far, 233 housing authorities has signed on to have an event this Fathers' Day. MRHA in cooperation with the Give Back Foundation and For the Children and other sponsors are conducting a weekend of events. Chad Martin also presented information to Council regarding events and sponsors. On a motion by Mark Stroud, seconded by Sharon Brooks Hodge, with a 4-0 vote, Council affirmed the recognition of the Father's Day Initiative.

Before moving to the next agenda item, Council Member Stroud made a statement to citizens of Southside that he has spoken with the Electric Department and wanted the citizens to know it will be corrected within a week.

Wayfinding Signage Program staff update: Susan McCulloch presented an update on the Martinsville Wayfinding Signage program. On December 30, 2010, the City of Martinsville received a grant from the Harvest Foundation for projects helping Uptown revitalization for the following projects: Historic Henry County Courthouse enhancements, Depot Street Trailhead improvements, and Gateways and Wayfinding Signage Program. She briefed Council on the history of the program, noted it was funded by the Uptown Revitalization Phase 1 Harvest Foundation Grant, and provided information on placement of signs throughout the community.

Website enhancements staff update: City Manager Leon Towarnicki briefed Council on the recent updates and changes made in providing availability of Council meeting information on the city website noting that videos of the meetings are now provided along with the agendas as well as minutes as they are approved. He noted these enhancements were done using staff brainpower at very little cost and it will now make the information more accessible to the public. Mr. Turner inquired on the legal restrictions for Council to field internet questions live and remotely participating in council meetings. Mr. Towarnicki advised there are firms that provide live streaming capabilities at a cost. Council Member Hodge commended Mr. Towarnicki for making good use of staff expertise.

June 11, 2013

Ordinance approval 2nd reading on FY13 Meals Tax: On a motion by Danny Turner, seconded by Mark Stroud, with the following 4-0 recorded vote: Adkins, aye; Hodge, aye; Stroud, aye; and Turner, aye, (Teague-absent), Council approved the following ordinance on second reading:

City of Martinsville, Virginia

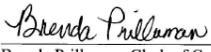
Ordinance No. 2013-4

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

6-11-13 6-21-13
Date Adopted Date Effective

Consent agenda: On a motion by Mark Stroud, seconded by Sharon Brooks Hodge, with a 4-0 vote, Council approved the following consent agenda:

BUDGET ADDITIONS FOR 6/11/13				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY13				
General Fund:				
01101917	442810	Categorical Other - State - Highway Projects		328,820
01413151	503193	Thorofare Construction - Prof.Serv. -Inspections/Fees	72,029	
01413151	508220	Thorofare Construction - Physical Plant Expansion	256,791	
		Reimbursement-Liberty St Project		
Total General Fund:			328,820	328,820

Business from floor: Ural Harris, 217 Stuart St., comments on EDC funding and Council votes on school board issues.

Council comments: Hodge-expressed appreciation to children on the Father's Day essay contest; Stroud-in honor of Father's Day, expressed appreciation to his family members who helped raise him; Turner-reported on Husky Hall birthday celebration and expressed congratulations to retiring Police Chief Mike Rogers; Adkins-reported Council is invited to the FAHI museum grand opening on June 19 and publically commended the local daycare that earned staff certification.

City Manager comments: reminded Council of EDC speaker series June 21; reported on progress with ICF contract for city's after hours calls; reported on sidewalk repairs being done by a contractor using Safe Routes to School grant money.

There being no further business, the meeting adjourned at 9:00 pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor

Meeting Date: July 23, 2013

Item No: 2.

Department: Sheriff

Issue: Recognition of City Sheriff's office first Reaccreditation.

Summary:

The Martinsville Sheriff's Office recently earned reaccreditation from the Virginia Law Enforcement Professional Standards Commission (VLEPSC).

Seeking VLEPSC accreditation is strictly voluntary. An independent evaluation of the agency ensures best practices are exercised by the Martinsville Sheriff's Office. Accreditation standards provide norms against which an agency's performance can be measured and monitored, boosting public confidence in how their community is being served in crime prevention and control.

This past December 2012 the VLEPSC certified assessors spent three days going through files, randomly interviewing deputies to test their knowledge, touring the facilities, riding along with civil enforcement deputies, and conducting other functions for their audit. There were zero deficiencies noted.

The Martinsville Sheriff's Office complied with all 188 standards set forth by VLEPSC. With a 100 percent score, the Martinsville Sheriff's Office went before the VLEPSC accreditation board on January 10, 2013 where it was announced the office earned the seal of approval as an accredited Virginia law enforcement agency. This was Martinsville Sheriff's Office second accreditation.

The executive board consists of representatives selected by the Virginia Sheriffs' Association (VSA), and the Virginia Association of Chiefs of Police (VACP). The Department of Criminal Justice Services (DCJS) provides oversight.

VLEPSC accreditation indicates that participating Virginia agencies are systematically measured and evaluated on policy and procedure. Law enforcement professionalism is advanced through the establishment of professional standards.

There is a formal mechanism by which all accredited agencies across the Commonwealth of Virginia are measured. Delivery of services is more effective and efficient. Cooperation and coordination among all components of the criminal justice system is promoted. The appropriate level of training for law enforcement personnel is ensured. Ultimately, public confidence in law enforcement is enhanced.

Representatives of the VLEPSC Commission will be in attendance to present the certificate to the Sheriff's Office.

VLEPSC accreditation remains in effect for four years. It is a coveted award that symbolizes professionalism, excellence, and competence.

Recommendations: Presentation only.



City Council Agenda Summary

Meeting Date: July 23, 2013

Item No: 3.

Department: City Council

Issue: Recognition of retiring Police Chief Mike Rogers.

Summary:

City Council will recognize retiring Police Chief, Mike Rogers, for his service to the City of Martinsville and the community.

Attachments: none

Recommendations: Presentation only.



City Council Agenda Summary

Meeting Date: July 23, 2013

Item No: 4.

Department: City Council

Issue: Presentation of proclamation regarding National Night Out.

Summary: Officer Coretha Gravely and captains of several City Neighborhood Watch Groups will be present to accept the proclamation.

Attachments: Proclamation

Recommendations: Presentation only



PROCLAMATION

NATIONAL NIGHT OUT August 6, 2013

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 6, 2013 entitled “National Night Out”; and

WHEREAS, the Annual National Night Out provides a unique opportunity for the City of Martinsville to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Martinsville City Council plays a vital role in assisting the Martinsville Police Department and Sheriff’s Office through joint crime, drug and violence prevention efforts in the City of Martinsville and is supporting “National Night Out 2013” locally; and

WHEREAS, it is essential that all citizens of Martinsville be aware of the importance of crime prevention programs and impact that their participation in Neighborhood Watch groups and their community can have on reducing crime, drugs and violence in Martinsville; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” and Neighborhood Watch programs; now, therefore

I, Kim E. Adkins, Mayor of the City of Martinsville, Virginia, do hereby call upon all citizens of Martinsville to join City Council and the National Association of Town Watch in supporting the “Annual National Night Out” and do hereby proclaim **Tuesday, August 6, 2013 as NATIONAL NIGHT OUT AGAINST CRIME** in the City of Martinsville.

Kim E. Adkins
Mayor



City Council Agenda Summary

Meeting Date: July 23, 2013

Item No: 5.

Department: City Manager

Issue: Presentation of proclamation regarding Smith River Week.

Summary: Representatives of the Smith River Fest Committee will be present to accept the proclamation.

Attachments: Proclamation

Recommendations: Presentation only



P R O C L A M A T I O N

WHEREAS, in 2008, The Smith River Fest was created to celebrate the recreational opportunities available to residents and visitors of Martinsville-Henry County; and

WHEREAS, this Festival has grown to include a number of events including the Helgramite Hustle Mud Run, The Smith River Clean-Up, the Smith River Race and the Smith River Film Festival; and

WHEREAS, outdoor recreation and the protection of our natural resources are critical to the tourism industry of Martinsville-Henry County; and

WHEREAS, Martinsville City Council realizes the value of the Smith River as a resource in our community providing clean water and recreation; and

WHEREAS, the Smith River is one of the few rivers in our region that can provide adequate water levels for recreation throughout the entire year; and

WHEREAS, educating the public about available resources creates a higher quality of life for Martinsville-Henry County residents; therefore

I, Kim Adkins., Mayor of the City of Martinsville, along with Martinsville City Council, do hereby proclaim the second week in August, 2013 as

SMITH RIVER WEEK

in the City of Martinsville, and urge all citizens to celebrate the Smith River and to support efforts to promote outdoor recreation

FURTHER, I urge all citizens to protect area natural resources to promote the well-being of this and future generations.

Kim Adkins
Mayor

Meeting Date: July 23, 2013
Item No: 6.
Department: City Manager
Issue: Discussion of schedule and location FY14 City Council Neighborhood Meetings

Summary:

Neighborhood Focus Meetings have been held for several years giving citizens the opportunity to voice concerns to Council about issues in their neighborhoods.

During the past fiscal year, following a 5:30 pm neighborhood tour on the **second Monday**, the Neighborhood Council meeting was held at 7:30 pm on the same **Monday**.

Following is the FY13 neighborhood meeting schedule and suggestions for consideration for FY14:

Druid Hills/Uptown –**September** at Forest Hills Presbyterian Church
Suggestion: Historic Courthouse in former courtroom

Southside area-**November** at Wesley Mem. Methodist Church-TOUR 4:30
Suggestion: Fuller Memorial Church or VMNH

Northside/Chatham Heights-**February** at Clearview Wesleyan Church
Suggestion: Chatham Hts. Baptist Church

Westside-**April** at Albert Harris School
Suggestion-FAHI Museum or Housing office

If Council desires, staff will make contacts to firm up locations in these areas for the Council meetings in **September, November, February, and April**.

Attachments: None

Recommendations: Direct staff to coordinate meetings and locations.

Date: July 23, 2013

Item No: 7.

Department: Clerk of Circuit Court, City Attorney

Issue: Consider approval of ordinance, on first reading, regarding recovery of passport fees.

Summary: The Clerk of the Circuit Court processes applications for passports as a Passport Agent for the State Department. He remits all application and processing fees set by the Department of State for processing the applications to the Commonwealth, but is allowed to reimburse the City for passport application mailing costs. He also takes and processes passport photographs. Although authority to process passport applications is recognized and allowed by the Commonwealth of Virginia, the state appropriates no funding for this activity; the City supports this activity financially, under authority of Code of Virginia section 15.2-1656, by furnishing supplies and equipment to accomplish this purpose. The Clerk recommends that an ordinance be adopted to ensure these funds remain with the City and are not intercepted and redirected to the Commonwealth.

Attachments: Draft ordinance and fiscal impact statement

Recommended Action: Motion to approve on first reading with a roll call vote.

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE NO. 2013-5

RECOVERY OF COSTS RELATED TO PASSPORT APPLICATIONS

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled on August 13, 2013, that section 2-27 of the Code of the City of Martinsville, currently reserved, is amended to read as follows:

2-27. Recovery of Costs Related to Passport Applications.

The Clerk of Martinsville Circuit Court is authorized:

- (1) To collect a Passport Photo Fee of \$15 from every passport applicant who requests photograph services; and
- (2) To assess and collect passport application mailing costs; and
- (3) To pay the fees and recovered costs monthly to the Treasurer of the City of Martinsville.

Should Passport Agent authority of the Office of the Clerk of Martinsville Circuit Court be removed or suspended, either temporarily or permanently, by the United States Department of State, the Clerk shall immediately notify the Martinsville City Manager. Collections of revenue authorized by this Section shall cease during any period of removal or suspension, and shall immediately resume upon re-authorization of the Office of the Clerk of Martinsville Circuit Court as Passport Agent.

State code reference: Code of Virginia § 15.2-1656

* * * * *

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective

FISCAL IMPACT STATEMENT

Title: **Recovery of Costs Related to Passport Applications**

Summary/Purpose:

The purpose of this ordinance is to authorize the Clerk of Circuit Court to reimburse the City of Martinsville for its financial support in processing passport applications.

In furtherance of its duties as a Passport Agent for the United States Department of State, the Clerk's Office incurs two expenses that are funded solely by support from the City of Martinsville: (1) passport application mailing costs, and (2) passport photography.

Passport Application Mailing Costs:

Since October 1, 2009, the Clerk has been authorized by the Commonwealth of Virginia to reimburse the locality for passport application mailing costs. By this Ordinance, this reimbursement authority is recognized and a procedure is authorized to remit this revenue to the City Treasurer.

Passport Photography:

Since March 2010, the Clerk's Office has been authorized by the Department of State to take passport photographs, a requirement for every application. This photography requires special camera equipment, unique software and photography supplies. The Commonwealth of Virginia requires the Clerk's Office to pay all agent fees to the state, but (other than reimbursement for mailing costs) it appropriates no financial support for passport processing. Pursuant to Code of Virginia § 15.2-1656, cost funding for passport photography is funded exclusively by the City of Martinsville. By this Ordinance, a fee is established in an amount sufficient to recover the cost of photography supplies and camera maintenance, and authorizes a procedure to remit this revenue to the City Treasurer.

Fiscal Implications:

Passport Application Mailing Costs:

The amount of costs recovered depends on the number of passport applications processed. The Clerk's Office estimates approximately \$800 in recaptured costs for FY2013-14.

Passport Photography:

The amount of cost recapture depends on the number of applicants who request photography services. The Clerk's Office estimates approximately \$4,000 in fees for FY2013-14.

Affected Departments: Circuit Court Clerk's Office

Effective Date: Upon adoption by City Council.

This revenue is currently being collected as indicated above. This Ordinance establishes the grounds for the collection and confirms the collection procedure.



City Council Agenda Summary

Date: July 23, 2013

Item No: 8.

Department: City Attorney

Issue: Consider approval of ordinance, on first reading, regarding unlawful sewer / water discharges.

Summary: An issue has arisen concerning discharge of commercial car wash water into City streets and stormwater systems. The existing ordinance is too vague to be enforceable. An attempt to resolve the issue short of legislation has been unsuccessful. Discussions with Director of the Water Department indicated that an expansion of the existing ordinance to protect the stormwater system more generally would be appropriate.

Attachments: Draft ordinance

Recommended Action: Consider approval of ordinance, on first reading, with a roll call vote.

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE NO. 2013-6

UNLAWFUL DISPOSAL OF SEWAGE AND WASTE WATER

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled on August 13, 2013, that section 23-3 of the Code of the City of Martinsville, currently reserved, is amended to read as follows:

Sec. 23-3. - Unlawful disposal of sewage and waste water.

A. No person shall make use of any vacant lot, or any building or structure without toilet facilities, for the disposal of human wastes, and no person shall make like use of any street, sidewalk or public or private alley. ~~No wash water or other waste water producing or likely to produce an offensive odor shall be emptied so as to flow upon any paved alley, sidewalk street in the city at any time.~~

B. *It shall be unlawful and a violation of this section to:*

(1)

Cause or allow any illicit discharge to the city's storm sewer system;

(2)

Cause or allow any illicit connection to the city's storm sewer system; or

(3)

Violate any condition or provision of this section, or any permit or approval granted to allow any stormwater discharges to the city's storm sewer system.

C.

The following activities shall not be considered illicit discharges:

(1)

Water line flushing;

(2)

Landscape irrigation;

(3)

Diverting stream flows or rising groundwater, or infiltration of uncontaminated groundwater;

(4)

Public safety activities, including, but not limited to, law enforcement and fire suppression;

(5)

Pumping of uncontaminated groundwater from potable water sources, foundation drains, irrigation waters, springs, or water from crawl spaces or footing drains;

(6)

Lawn watering;

(7)

Individual car washing on residential properties;

(8)

De-chlorinated swimming pool discharges (less than 1 PPM chlorine);

(9)

Street washing;

(10)

Any activity authorized by a valid National Pollutant Discharge Elimination System (NPDES) permit, waiver or discharge order, a Virginia Pollutant Discharge Elimination System (VPDES) permit, waiver or discharge order, or a Virginia Pollution Abatement (VPA) permit;

(11)

Any activity by a governmental entity in accordance with federal, state, and local regulations and standards for the maintenance or repair of drinking water reservoirs or drinking water treatment or distribution systems; and

(12)

Any activity by the city, its employees and agents, in accordance with federal, state and local regulations and standards, for the maintenance of any component of its stormwater management system.

(13)

Discharges specified in writing by the City Manager or his designee as being necessary to protect public health and safety.

(14)

Dye testing, following notification to the City Manager or his designee.

D.

If any of the activities listed in subsection (b), above, of this section are found to be sources of pollutants to public waters, the City Manager or his designee shall so notify the person performing such activities and shall order that such activities be stopped or conducted in

such manner as to avoid the discharge of pollutants into such waters. The failure to comply with any such order shall be unlawful and a Class 1 misdemeanor.

(Code 1971, § 17-2)

* * * * *

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective

Meeting Date: July 23, 2013
Item No: 9.
Department: Finance
Issue: Monthly Financial Report

Summary:

FY13 – Revenues & Expenditures through June 30, 2013; Combined Balance Sheet; Projected Fund Balance

Although FY13 officially ended on June 30, all year-end transactions will not be finalized until early fall in order to realize all earned revenue and incurred expenses for the fiscal year. The annual audit process will begin in late September or early October. The reports provided this evening reflect only the actual transactions to-date and some of the anticipated transactions yet to occur. Additional adjustments will impact both revenues and expenditures before FY13 is officially “closed”.

Exclusive of School and Special Revenue funds, actual revenues posted to-date are \$57,896,800, representing 96.6% of the anticipated \$59,957,500 through the fourth quarter, ending June 30th. Representing eleven months, Local Sales/Use Taxes received from the Commonwealth through June 30 are ahead of anticipated by \$59,490, for total receipts of \$1,883,490. Utility revenues in Refuse, Water, and Sewer Fund were all greater than anticipated; Electric Fund revenues were less than anticipated for June 30. Actual expenditures currently posted through June 30 are \$64,417,320.

Currently, as of the end of the FY13 fourth quarter, the current total combined fund balance for FY13 is \$21,781,721, a decrease over FY12 of \$4,990,800. The unadjusted available cash-on-hand June 30th for all City Funds was \$15.8 million.

The projected fund balance, including all Utility Funds, for FY13 is \$17,205,067 – a decrease from FY12 year-end of \$9,567,454. Based upon this projection, the unassigned Fund Balance would be \$3,424,471 for non-utility funds and \$9,347,123 for utility funds, for a total of \$12,771,594. Again, these numbers are still fluid and will change as the year-end closing process continues. There are still many revenue, expense and balance sheet adjustments to be made.

Attachment:

Revenue & Expense - 7-23-13.xls
Combined Balance Sheet FY13 - 7-23-13.xls
FY13 Projected Fund Balance for 7-23-13.xls

Recommendations: Motion to approve monthly financial report

City of Martinsville
Consolidated Revenues and Expenditures
FY13 - June 30, 2012

(prepared for 7/23/13 meeting)

	<i>Budget</i>	<i>Anticipated</i>	<i>Actual YTD</i>	<i>Remaining Balance</i>	<i>Difference Ant vs. Actual</i>
General Fund					
Revenues	\$ 30,824,438	\$ 30,633,859	\$ 28,721,061	\$ 2,103,377	93.8%
Expenditures	<u>32,701,807</u>	<u>31,026,419</u>	<u>30,845,533</u>	1,856,274	99.4%
Excess (deficiency) of revenues over expenditures	\$ <u>(1,877,369)</u>	\$ <u>(392,560)</u>	\$ <u>(2,124,472)</u>		
	(Fund Bal contrib)				

	<i>Budget</i>	<i>Anticipated</i>	<i>Actual YTD</i>	<i>Remaining Balance</i>	<i>Difference Ant vs. Actual</i>
Capital Funds					
Meals Tax					
Revenues	\$ 1,893,250	\$ 1,905,950	\$ 1,947,906	\$ (54,656)	102.2%
Expenditures	<u>10,624,666</u>	<u>10,624,666</u>	<u>8,888,618</u>	1,736,048	83.7%
Excess (deficiency) of revenues over expenditures	\$ <u>(8,731,416)</u>	\$ <u>(8,718,716)</u>	\$ <u>(6,940,712)</u>		
Capital Reserve					
Revenues	\$ 1,077,795	\$ 1,025,188	\$ 1,078,602	\$ (807)	105.2%
Expenditures	<u>2,260,100</u>	<u>2,236,817</u>	<u>2,102,467</u>	157,633	94.0%
Excess (deficiency) of revenues over expenditures	\$ <u>(1,182,305)</u>	\$ <u>(1,211,629)</u>	\$ <u>(1,023,865)</u>		

TOTAL CAPITAL FUNDS:	\$ (9,913,721)	\$ (9,930,345)	\$ (7,964,577)		
	(Fund Bal contrib)				

	<i>Budget</i>	<i>Anticipated</i>	<i>Actual YTD</i>	<i>Remaining Balance</i>	<i>Difference Ant vs. Actual</i>
Refuse Fund					
Revenues	\$ 1,814,000	\$ 1,780,123	\$ 1,783,705	\$ 30,295	100.2%
Expenditures	<u>1,970,383</u>	<u>1,850,195</u>	<u>1,470,589</u>	499,794	79.5%
Excess (deficiency) of revenues over expenditures	\$ <u>(156,383)</u>	\$ <u>(70,072)</u>	\$ <u>313,116</u>		
Water Fund					
Revenues	\$ 3,104,198	\$ 3,305,786	\$ 3,312,112	\$ (207,914)	100.2%
Expenditures	<u>3,462,198</u>	<u>2,935,296</u>	<u>2,817,596</u>	644,602	96.0%
Excess (deficiency) of revenues over expenditures	\$ <u>(358,000)</u>	\$ <u>370,490</u>	\$ <u>494,517</u>		

Sewer Fund					
Revenues	\$ 3,760,612	\$ 4,034,212	\$ 4,034,802	\$ (274,190)	100.0%
Expenditures	<u>4,310,612</u>	<u>3,908,248</u>	<u>3,448,378</u>	862,234	88.2%
Excess (deficiency) of revenues over expenditures	\$ <u>(550,000)</u>	\$ <u>125,964</u>	\$ <u>586,424</u>		

Electric Fund					
Revenues	\$ 17,571,805	\$ 17,272,382	\$ 17,018,611	\$ 553,194	98.5%
Expenditures	<u>18,427,138</u>	<u>16,410,048</u>	<u>14,844,138</u>	3,583,000	90.5%
Excess (deficiency) of revenues over expenditures	\$ <u>(855,333)</u>	\$ <u>862,334</u>	\$ <u>2,174,473</u>		

TOTAL UTILITY FUNDS:	\$ (1,919,716)	\$ 1,288,716	\$ 3,568,530		
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Consolidated Revenues and Expenditures
FY13 - June 30, 2012

	<i>Budget</i>		<i>Actual YTD</i>	<i>Remaining Balance</i>	<i>Difference Budg vs. Actual</i>
Cafeteria					
Revenues	\$ 1,312,838	\$	\$ 1,471,672	\$ (158,834)	112.1%
Expenditures	<u>1,357,598</u>		<u>1,398,133</u>	(40,535)	103.0%
Excess (deficiency) of revenues over expenditures	<u>\$ (44,760)</u>	\$	<u>\$ 73,539</u>		
Schools					
Revenues	\$ 20,305,945	\$	\$ 20,294,598	\$ 11,347	99.9%
Expenditures	<u>20,414,243</u>		<u>20,238,032</u>	176,211	99.1%
Excess (deficiency) of revenues over expenditures	<u>\$ (108,298)</u>	\$	<u>\$ 56,566</u>		
Federal Programs					
Revenues	\$ 2,150,421	\$	\$ 1,968,742	\$ 181,679	91.6%
Expenditures	<u>2,150,421</u>		<u>2,353,287</u>	(202,866)	109.4%
Excess (deficiency) of revenues over expenditures	<u>\$ -</u>	\$	<u>\$ (384,546)</u>		
TOTAL SCHOOL FUNDS:	<u>\$ (153,058)</u>	<u>\$ -</u>	<u>\$ (254,441)</u>		

(fund bal contrib)

	<i>Budget</i>		<i>Actual YTD</i>	<i>Remaining Balance</i>	
Special Revenue Funds					
CDBG Fund					
Revenues	\$ 55,855		\$ 228,198	\$ (172,343)	
Expenditures	<u>212,907</u>		<u>237,806</u>	(24,899)	
Excess (deficiency) of revenues over expenditures	<u>\$ (157,052)</u>		<u>\$ (9,608)</u>		
Housing Choice Fund					
Revenues	\$ 1,973,200		\$ 1,644,598	\$ 328,602	
Expenditures	<u>2,251,903</u>		<u>1,913,815</u>	338,088	
Excess (deficiency) of revenues over expenditures	<u>\$ (278,703)</u>		<u>\$ (269,216)</u>		
TOTAL SPECIAL REVENUE FUNDS:	<u>\$ (435,755)</u>		<u>\$ (278,824)</u>		

	<i>Budget</i>	<i>Anticipated</i>	<i>Actual YTD</i>	<i>Remaining Balance</i>	<i>Difference Ant vs. Actual</i>
GRAND TOTALS:					
<i>(excluding Schools & Special Revenues)</i>					
Revenues:	\$ 60,046,098	59,957,500	\$ 57,896,800	\$ 2,149,298	96.6%
Expenditures	<u>73,756,904</u>	<u>68,991,689</u>	<u>64,417,320</u>	9,339,584	93.4%
Excess (deficiency) of revenues over expenditures	<u>\$ (13,710,806)</u>	<u>(9,034,189)</u>	<u>\$ (6,520,520)</u>		

Local Sales/Use Taxes	\$ 1,900,000	\$	1,824,000	\$	1,883,490	\$	16,510	103.3%
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The Budgeted Revenue amounts do not include any contributions from Fund Balance.

**City of Martinsville
Combined Balance Sheet
06/30/2013
FY2013**

(As prepared for 7/23/13 Council meeting.)

FUND	TOTAL ASSETS*	LIABILITIES &RESERVES	CURRENT FUND BAL & NET ASSETS	JUNE 30, 2012 FUND BAL & NET ASSETS	DIFFERENCE FROM FY12
GENERAL FUND	\$ 9,770,525	\$ (2,723,886)	\$ 7,046,638	\$ 7,374,295	\$ (327,657)
MEALS TAX	\$ 3,011,855	\$ (432,653)	\$ 2,579,201	\$ 9,519,913	\$ (6,940,712)
SCHOOL CAFETERIA	\$ 980,861	\$ (47,071)	\$ 933,789	\$ 860,250	\$ 73,539
REFUSE COLLECTION FUND	\$ 9,308,617	\$ (6,830,164)	\$ 2,478,454	\$ 2,163,379	\$ 315,075
WATER FUND	\$ 5,561,753	\$ (4,477,004)	\$ 1,084,749	\$ 496,654	\$ 588,095
SEWER FUND	\$ 4,900,683	\$ (3,494,159)	\$ 1,406,524	\$ 813,954	\$ 592,570
ELECTRIC FUND	\$ 15,475,312	\$ (8,647,736)	\$ 6,827,576	\$ 4,584,420	\$ 2,243,156
CAPITAL RESERVE FUND	\$ 641,188	\$ (382,492)	\$ 258,696	\$ 1,239,637	\$ (980,941)
SCHOOL FUND	\$ 1,624,726	\$ (1,515,714)	\$ 109,011	\$ -	\$ 109,011
SCHOOL FEDERAL PROGRAMS	\$ (191,525)	\$ (169,986)	\$ (361,511)	\$ 23,061	\$ (384,572)
CDBG FUND	\$ (460,630)	\$ (132,082)	\$ (592,712)	\$ (583,104)	\$ (9,608)
HOUSING CHOICE	\$ 12,574	\$ (1,268)	\$ 11,306	\$ 280,062	\$ (268,756)
TOTAL	\$ 50,635,937	\$ (28,854,216)	\$ 21,781,721	\$ 26,772,521	\$ (4,990,800)
Re-appropriations (approved 10/9/12)				\$ (11,247,457)	
Adjusted Total:				\$ 15,525,064	

*Re-appropriations for FY12 include \$768,824 for Capital Fund Energy Efficiency Project and \$8,731,416 for Meals Tax Fund H.S. Renovation Project, leaving \$1,747,217 for other projects.

RESERVED FUND

INSURANCE TRUST FUND	\$ 233,589	\$ -	\$ 233,589	\$ 467,908	\$ (234,319)
INMATE TRUST FUND	\$ 107,723	\$ (126)	\$ 107,849	\$ 97,340	\$ 10,509

CITY OF MARTINSVILLE
PROJECTED FUND BALANCE 06/30/2013

(07/23/13)

	<u>Audited Fund</u> <u>Balance</u> <u>06/30/12</u>	<u>Anticipated</u> <u>Revenues</u> <u>FY13</u>	<u>Anticipated</u> <u>Expenditures</u> <u>FY13</u>	<u>Budgeted</u> <u>Depreciation</u>	<u>Projected</u> <u>Fund</u> <u>Balance</u> <u>06/30/13</u>	<u>Net</u> <u>(Decrease)</u> <u>Increase</u>
GENERAL	7,374,295	30,633,859	31,026,419		6,981,735	(392,560)
MEALS TAX	9,519,913	1,905,950	10,624,666		801,197	(8,718,716)
CAPITAL RESERVE	1,239,637	1,025,188	2,236,817		28,008	(1,211,629)
TOTAL CAPITAL FUNDS	10,759,550	2,931,138	12,861,483		829,205	(9,930,345)
REFUSE	2,163,379	1,780,123	2,000,195	150,000	2,093,307	(70,072)
WATER	496,654	3,305,786	3,185,296	250,000	867,144	370,490
SEWER	813,954	4,034,212	4,308,248	400,000	939,918	125,964
ELECTRIC	4,584,420	17,272,382	16,810,048	400,000	5,446,754	862,334
TOTAL UTILITY FUNDS	8,058,407	26,392,503	26,303,787	1,200,000	9,347,123	1,288,716
CAFETERIA	860,250	1,471,672	1,398,133		933,789	73,539
SCHOOLS	0	20,294,598	20,238,032		56,566	56,566
SCHOOL GRANTS	23,061	1,968,742	2,353,287		(361,484)	(384,545)
TOTAL SCHOOL FUNDS	883,311	23,735,012	23,989,452		628,871	(254,440)
CDBG	(583,104)	228,198	237,806		(592,712)	(9,608)
HOUSING CHOICE	280,062	1,644,598	1,913,815		10,845	(269,217)
TOTAL SP REV FUNDS	(303,042)	1,872,796	2,151,621		(581,867)	(278,825)
TOTAL ALL FUNDS	26,772,521	85,565,308	96,332,762	1,200,000	17,205,067	(9,567,454)

Fund Balance Summary:

	Total Funds:	Total by Category:
Non-spendable:		795,619
Inventory	792,569	
Prepaid Items	3,050	
Restricted:		0
(none)		
Committed to:		2,654,550
CCBC	1,666,700	
PART	31,000	
Cafeteria Fund	933,789	
School Grants Fund	23,061	
Assigned to:		983,304
Thoroughfare Constr	154,099	
Capital Reserve Fund	28,008	
Meals Tax Fund	801,197	
Unassigned:		12,771,594
Non-utility Funds:	3,424,471	
Utility Funds:	9,347,123	
Totals:	17,205,067	17,205,067



City Council Agenda Summary

Meeting Date: July 23, 2013
Item No: 10.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

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

FY13:

General Fund: \$900,970 – Reimbursements and Grants

School Fund: \$46,760 – Grants and Recovered Costs

Attachments: Spreadsheet-Consent Agenda - 7-23-13.xls

Recommendations: Motion to approve.

BUDGET ADDITIONS FOR 7/23/13

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY13</u>				
<u>General Fund:</u>				
01101917	442810	Categorical Other - State - Highway Projects		576,587
01413151	503193	Thorofare Construction - Prof.Serv. -Inspections/Fees	45,519	
01413151	508220	Thorofare Construction - Physical Plant Expansion	531,068	
		Reimbursement-Liberty St Project		
01100909	490801	Recovered Costs - Senior Citizens		5,386
01714212	506016	Senior Center - Program Supplies	2,203	
01714212	501300	Senior Center - Part-time Wages	1,998	
01714212	502100	Senior Center - Social Security	124	
01714212	502110	Senior Center - Medicare	29	
01714212	506049	Senior Center - Vehicle Fuels	1,032	
		Transportation Grant and Reimbursements		
01101916	434703	Categorical Shared - Circuit Ct Clerk - Addt'l Allowance		16,268
01216076	503320	Circuit Court Clerk - Maint. Service Contracts	15,500	
01216076	505410	Circuit Court Clerk - Lease/Rental of Equipment	768	
		Additional Reimbursement from Comp Board		
01102926	443157	Categorical Federal - Safe Routes to School		302,729
01413146	503191	Street Marking - Prof. Services - Contractors	302,729	
		Safe Routes to School Project		
Total General Fund:			900,970	900,970
<u>SCHOOL FUND</u>				
18102926	418297	Nasa Program		20,000
61101100	561120	Instructional S&W	9,345	
61101100	561620	Supplementatl S&W	7,450	
61101100	562100	Social Security	1,041	
61101100	562150	Medicare	244	
66501100	562210	Retirement	1,463	
66501100	562400	State Life	111	
66501100	562750	RHCC	104	
66501100	566000	Materials & Supplies	242	
18101917	402912	Mentor Teacher Program		1,000
85031310	561620	Supplemental S&W	929	
85031310	562100	Social Security	58	
85031310	562150	Medicare	13	
18103919	489904	Harvest		10,000
81621310	568200	Capital Outlay Additions	10,000	
18103909	480301	Bus Operations		15,760
80003400	566051	Bus Fuel	15,760	
Total School Fund:			46,760	46,760