



City Council Agenda Summary

Meeting Date: July 27, 2010
Item No: 1.
Department: Clerk of Council

Issue: Consider approval of the minutes of City Council's meetings of May 17, 2010 and May 19, 2010.

Summary: None

Attachments: [Minutes May 17, 2010](#)
[Minutes May 19, 2010](#)

Recommendations: Motion to approve minutes as presented

May 17, 2010

A budget worksession of the Council of the City of Martinsville, Virginia, was held on May 17, 2010, in Council Chambers, Municipal Building, at 7:00 PM, with Mayor Kathy Lawson presiding. Council Members present included: Mayor Kathy Lawson, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Donna Odell, Linda Conover, Leon Towarnicki, Gary Cody, Dennis Bowles and Esther Artis.

Mayor Lawson called the meeting to order.

School funding: Mayor Lawson reported she and the City Manager met this morning with school representatives noting the schools will replace the boiler with their funds and will come back later to Council regarding the roof replacement. At this point, the schools are not requesting any additional funding, but will come back to Council if they need more funds. There was also discussion on combining like departments and the potential savings of \$100,000 through efficiency using existing personnel for various tasks. It was recommended that the City Manager and the new Mayor & school representatives have monthly meetings to discuss future savings. Mayor Lawson stated we should not consider the potential \$100,000 savings for budget purposes.

Capital expenditures: The City Manager explained how capital projects were ranked and the process staff followed to recommend capital projects. He explained the fire truck and garbage truck are loaded in the proposed FY11 budget and no debt service will occur in FY11. Chief Draper briefed council on the vehicle replacement plan explaining the need for the proposed rescue pumper now that the rescue squad is not in service. He also pointed out there is the potential for a USDA grant of \$140,000. There was discussion as to issues involved with ISO rating and the impact on local businesses and commercial buildings as well as how not purchasing this fire truck would get us off the 5-year replacement plan with the potential of causing the city to have two payments at once for vital equipment. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 3-2 vote, Lawson and Stroud voting nay, Council delayed the purchase of the fire truck for a year. Leon briefed Council on the proposed garbage truck noting it is very expensive to repair. On a motion by Danny Turner, seconded by Gene Teague, with a 5-0 vote, (all voting aye), Council deferred purchase of the garbage truck. Council will have the option to reconsider this in six months if we have issues with current truck. John Dyches briefed Council on the \$225,000 automated bar screen for the wastewater plant noting the existing bar screen was installed over 25 years ago and has been running 24/7 with no back up. He also explained the \$45,000 in the budget for contract sewer replacement noting the city will be facing some major replacement of water/sewer lines in the future with the aging infrastructure. On a motion by Kimble Reynolds, seconded by Mark Stroud, with a 5-0 vote, Council approved the \$225,000 and \$45,000 expenditures for capital in the FY11 proposed

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budget. There were questions regarding the video arraignment system and the parks & recreation vehicle with no motions made. Esther Artis reported on the \$70,000 for computer replacements which the city has been replacing every five years. Leon pointed out the MINET Uptown is seeing a lot of use and crews are extremely busy with setting up fiber optics networks in Uptown businesses.

Enterprise Funds: Dennis Bowles reported on the City's philosophy of buying power established by City Council noting that the city won't be seeing a decline in rates until 2012. Mr. Bowles briefed Council on the PCA (Power Cost Adjustment) fee which is built in to the proposed FY11 budget. A motion was made by Danny Turner to leave the PCA at zero and asked that the City Manager come back with recommendations to make up for shortfall. The motion died for lack of a second.

There being no further business, the meeting adjourned at 8:45 pm.

Clarence C. Monday, Clerk of Council

Kathy C. Lawson, Mayor

May 19, 2010

A budget worksession of the Council of the City of Martinsville, Virginia, was held on May 19, 2010, in Council Chambers, Municipal Building, with closed session beginning at 6:30 PM and worksession starting at 7:30 PM, with Mayor Kathy Lawson presiding. Council Members present included: Mayor Kathy Lawson, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Donna Odell, Linda Conover, Leon Towarnicki, Gary Cody, Mike Rogers, Esther Artis, Ruth Easley, Steve Draper and Kenneth Draper.

Mayor Lawson called the meeting to order and announced Council would start out in Closed Session. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Gene Teague, seconded by Mark Stroud, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matter: (A) 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 6. At the conclusion of the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during said Session. On a motion by Danny Turner, seconded by Gene Teague, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council returned to Open Session. No action was taken.

Donna Odell and Pam Heath briefed Council on FY11 employee health insurance costs. Ms. Odell reported on the city employee furlough days, one to be held on May 28, 2010 FY10 budget and four are planned for FY11 budget. Each furlough days saves the city approximately \$35,000. Council asked that a breakdown of savings be done by salary ranges below \$50,000 and above \$50,000. There was discussion as to savings in Sheriff's department and Commissioner of Revenue due to furloughs.

Constitutional offices discussion: Ruth Easley reported for the Circuit Court Clerk's office noting the Clerk pays some expenses out of his own pocket. Ms. Easley also asked Council for restoration of \$4,555 to restore 2% pay increases Commissioner of Revenue employees received in 2009. There was discussion as to take home cars and Sheriff department employees using city vehicles when they work private duty.

General fund discussion: Council asked that Chief Rogers provide information on number of miles on police fleet vehicles. The City Manager's office budget eliminated the Public Information Officer position and PIO advertising money was merged into City Manager budget.

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Council Member Turner raised the question on what is the City Manager's salary minus the five furlough days and the City Manager answered that his salary is the same as in his contract minus the 5 furlough days' amount. Council then discussed agenda for the next budget worksession scheduled for May 25 and agreed to resolve school request at that meeting.

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

Clarence C. Monday, Clerk of Council

Kathy C. Lawson, Mayor

Date: July 27, 2010

Item No: 2.

Department: City Attorney

Issue: Consider approval of ordinance, on second reading, Section 21-130 codifying probate tax fee collection.

Summary: The attached ordinance regarding Article XI-Section 21.130 City Probate Tax was approved on first reading at the July 13, 2010 meeting.

Attachments: [City Probate Tax Ordinance](#)

Recommended Action: Adopt on second reading.

City of Martinsville, Virginia

ORDINANCE 2010-_____

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on July 13, 2010 that Chapter 21 of the City Code, is hereby amended to add a new Article XI and sections 21-130 and 131, to read as follows:

Article XI: City Probate Tax and Fees

Section 21-130. City Probate Tax.

There is hereby imposed upon the probate of a will, or grant of administration on the probate of every such will or grant of administration, a tax payable to the City in an amount equal to one-third of the amount of the state tax thereon imposed by §§ 58.1-1712 and 58.1-1717.1 of the Code of Virginia, as amended.

Attest:

Clarence C. Monday,
Clerk of Council

Date Adopted

Date Effective

Date: July 27, 2010

Item No: 3.

Department: City Attorney

Issue: Consider approval of ordinance, on second reading, Section 18-1 amending littering ordinance.

Summary: The attached amended ordinance regarding Section 18-1 addresses a loophole in our littering ordinances which appeared to allow littering on public property and was approved on first reading at the July 13, 2010 meeting.

Attachments: [Draft ordinance – Section 18-1 Littering](#)

Recommended Action: Adopt on second reading.

City of Martinsville, Virginia

ORDINANCE 2010-_____

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on July 13, 2010 that sections 18-1 and 19-13 of the City Code be amended to read as follows:

Sec. 18-1. Littering.

(a) Any person who shall dump, throw, drop, deposit or dispose of any trash, garbage, refuse, dead animal carcass, rubbish, glass, ashes or litter on any public property, street, sidewalk, right-of-way, property adjacent to such street or right-of-way or on private property without the consent of the owner shall be guilty of a Class 4 misdemeanor for a first offense and a Class 3 misdemeanor for any subsequent offense.

(b) When a violation of the provisions of this section has been observed by any person, and the matter dumped, thrown, dropped, deposited or disposed of has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter. Such presumption may be rebutted by competent evidence.

Cross references: Penalty for Class 4 and 3 misdemeanor, § 1-11; deposit of leaves on streets, § 19-13.

Sec. 19-13. Deposit of leaves cuttings on streets.

It shall be unlawful and a Class 4 misdemeanor for a first offense and a Class 3 misdemeanor for any subsequent offense for any person to rake, deposit or place leaves, grass clippings, brush trimmings or branches or other green waste or cuttings of vegetative matter in or on any street, alley or other public property within the city, without first having obtained the consent thereto of the director of public works. This section shall not prohibit the placement of ~~bagged leaves~~ such material at the curb for pickup by the city as a part of its leaf refuse collection service.

Attest:

Clarence C. Monday,
Clerk of Council

Date Adopted

Date Effective

Date: July 27, 2010

Item No: 4.

Department: City Attorney

Issue: Consider approval of ordinance, on second reading, Section 19-13 amending ordinance regarding deposit of cuttings on streets.

Summary: The attached amended ordinance regarding Section 19-13 addresses deposit of cuttings on streets and was approved on first reading at the July 13, 2010 meeting. Dumping yard waste in streets is clarified and the penalties are reduced.

Attachments: [Draft ordinance – Section 19-13 Deposit of cuttings on streets.](#)

Recommended Action: Adopt on second reading.



City Council Agenda Summary

Meeting Date: July 27, 2010
Item No: 5.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

The attachments amend the FY10 & FY11 Budgets with appropriations in the following funds:

FY10:

General Fund: \$2,991 – recovered costs

Capital Fund: \$42,906 – recovered costs

CDBG Fund: \$3,500 – Uptown Planning Grant

FY11:

General Fund: \$29,407 – recovered costs, donations, state compensation

School Fund: \$24,444 – federal program funding

Attachments: [Spreadsheet](#)

Recommendations: Motion to approve

BUDGET ADDITIONS FOR 07/27/10

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY10</u>				
<u>GENERAL FUND</u>				
01100909	490110	Recovered Costs - National Guard Armory		2,991
01715213	508220	Armory - Physical Plant Expansion DOD reimbursement - fire suppression system	2,991	
Total General Fund:			2,991	2,991
<u>CDBG FUND</u>				
47101917	447026	Categorical Other State - Uptown Planning Grant		3,500
47823519	503140	Uptown Revitalization Planning Grant-Prof. Serv. - Eng/Arch Uptown M'ville Planning Grant funding	3,500	
Total CDBG Fund:			3,500	3,500
<u>CAPITAL RESERVE FUND:</u>				
16100909	490104	Recovered Costs		42,906
16577367	508013	Physical Plant Expansion - Minet Expenses appropriate funds	42,906	
Total Capital Reserve Fund:			42,906	42,906
<u>FY11</u>				
<u>GENERAL FUND</u>				
01100908	440402	Miscellaneous - Donations/Hooker Field		852
01725422	505508	Mustangs - Meals	804	
01725422	506010	Mustangs - Game Equipment Appropriate donations	48	
01100909	490134	Recovered Costs - Recreation & Parks		120
01711210	503159	Parks & Recreation - Prof. Services - Instructors Appropriate fees from Art Camp	120	
01100908	480410	Miscellaneous - Donations/Fire Dept		465
01322105	505500	EMS - Training Appropriate donations	465	
01101916	434102	Categorical State Shared Expenses - Comm Atty Temp		27,970
01221082	501300	Commonwealth's Attorney - Part-time & Temporary Appropriate additional compensation	27,970	
Total General Fund:			29,407	29,407
<u>SCHOOL FUND</u>				
18102926	418316	Categorical Federal - Learn & Serve STEM		24,444
71301100	561620	Learn & Serve STEM - Supplemental S&W	4,500	
71301100	562100	Learn & Serve STEM - Social Security	279	
71301100	562150	Learn & Serve STEM - Medicare	65	
71301100	563000	Learn & Serve STEM - Purchased Services	3,468	
71301100	565503	Learn & Serve STEM - Travel	1,632	
71301100	566013	Learn & Serve STEM - Instructional Materials & Supplies	14,500	
Total School Fund:			24,444	24,444