

July 28, 2009

The regular meeting of the Council of the City of Martinsville, Virginia, was held on July 28, 2009, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kathy Lawson presiding. Council Members present included: Mayor Kathy Lawson, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Wayne Knox, Robert Ramsey, Ruth Easley, Wanda Jessup, Donna Odell, Linda Conover, Mary Kay Washington, Ted Anderson, and Jay Thornton.

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

Mayor Lawson read the proclamation proclaiming CONTACT Sunday, August 2, 2009 and presented it to Harry Byrd.

Clarence Monday, City Manager and Finance Director, explained to Council this is the second year in a row that city staff has been recognized for this Financial Award and he praised the outstanding work of the finance department staff and the collective efforts of other city departments and the City's auditing firm, Robinson, Farmer & Cox. Mayor Lawson presented the framed award to Finance staff and also commended them for receiving the Certificate of Achievement for Excellence in Financial Reporting for the City of Martinsville by the Government Finance Offices Association of the United States and Canada (GFOA) for its FY2008 Comprehensive Annual Financial Report.

Dennis Toney of the Southern Virginia Recreation Facilities Authority updated Council on the recently completed complex noting that the grand opening will be held August 23. He presented information on the development process and reported there are a lot of activities going on. He responded to questions regarding cost stating that the project started out at \$4M and ended up around \$8.5M. After visiting similar facilities in other communities, it was decided to go ahead with the increased cost to make it a state of the art facility. The facility was funded by the Harvest Foundation. Mr. Toney stated the SVRFA is interested in all aspects of sports and would not object to considering taking on the Mustangs baseball team. He noted that the monthly Board meetings of the Authority are open to the public and he urged citizens to call him with their thoughts and ideas.

Becky Clay Christensen and Bob Adams updated Council on the Uptown economic restructuring project. They both stressed that public input has been

July 28, 2009

critical in this process and will continue to be a valuable piece moving forward. They noted that the Harvest Foundation's commitment to Uptown is still strong. Baldwin Block has been cleared and is still in the name of the City. Harvest Foundation is focusing on the restructuring Uptown project that will yield maximum long-term economic benefit to the community through the revitalization of Uptown. Vision Day was very successful with a lot of citizen participation. It was noted that five areas will be important to drive the economic growth of Uptown: (1) business/institutional/retail/dining, (2) heritage culture-furniture, (3) visual and performing arts, (4) recreation/active living and (5) Uptown living. The Harvest Foundation is still committed to providing funding for this project and over 200 people have been involved in the planning process to this point. She briefed Council on the Community Development Corporation formation. She noted the Uptown "footprint" area stretches from the Rives Theatre down to the Baldwin block. The physical Master Plan will be completed by end of 2009 and plans are to apply to the state by early 2010 with Master Plan going to contract in fall 2010 if awarded by CDBG.

Ted Anderson, Building Official/Fire Marshal, updated Council on the Inspections Department and the methods being put into place to make the complaint process more efficient to decrease the time it takes to resolve complaints. Ted presented information on proposed properties for demolition and their priority levels. Mr. Gerald (Jay) Thornton, the City's recently hired Inspector, was introduced to Council. A list of potential demolition properties was reviewed noting that the first six on the list were considered by Inspections to be most critical in their ranking of danger and severity. Council members discussed possibility of setting up a revolving fund. The Inspections office will go forward with working to demolish the properties prioritized on the list with the money currently budgeted.

Scott Coleman reported to Council regarding the National League of Cities/Caremark Prescription Benefit Program advising that the plan is now active and is open to all residents noting that printable membership cards and general information is available on a website which is linked to the City's website.

After review and discussion of the monthly finance report through the end of June 2009, Council noted the excellent job done on the report.

July 28, 2009

On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the following consent agenda:

**BUDGET ADDITIONS FOR 07/28/2009**

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b><u>FY09</u></b>				
<b><u>GENERAL FUND</u></b>				
01101918	436418	State Grants - Police DCJS/TRIAD Grant		203
01311085	506080	Police Department - Crime Prevention Final receipt of TRIAD Grant funds for FY09	203	
01100909	490104	Advance/Recovered Costs		390
01413149	506104	Street Construction - Non-capital Equipment insurance funds for stolen property	390	
01102926	436415	Categorical Federal - DMV Grant		7,364
01311085	501206	Police Department - DMV Overtime appropriate funds rec'd in FY09	7,364	
<b>Total General Fund:</b>			<b>7,957</b>	<b>7,957</b>
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b><u>FY10</u></b>				
<b><u>GENERAL FUND</u></b>				
01100908	480410	Miscellaneous Revenue - Donations/Fire Dept		630
01321102	506010	Fire Department - Fire Prevention Supplies	20	
01321102	506011	Fire Department - Uniforms & Apparel	110	
01321102	505500	Fire Department - Travel & Training appropriate various donations	500	
<b>Total General Fund:</b>			<b>630</b>	<b>630</b>
<b><u>SCHOOL FUND</u></b>				
18103908	418285	Miscellaneous Revenue		250
41001310	561620	Support Staff - Supplemental S&W	233	
41001310	562100	Support Staff - Social Security	13	
41001310	562150	Support Staff - Medicare appropriate additional state funding	4	
<b>Total School Fund:</b>			<b>250</b>	<b>250</b>

Ruth Easley briefed Council on options for adopting an ordinance that would provide a tax credit for certain real property rehabilitation and renovation and asked that Council consider setting a public hearing. Currently, the City of Martinsville provides a partial refund of taxes paid for qualifying commercial and industrial properties in the City's Enterprise Zone. The draft ordinance prepared for consideration would allow a partial exemption for substantially rehabilitated and renovated residential, commercial, and industrial properties that are outside the City's Enterprise Zone. Council had lengthy discussion on the issue and asked for more information on the financial impact to be provided for the August 11, 2009 meeting where it will be discussed further and setting a public hearing will be considered.

July 28, 2009

On a motion by Gene Teague, seconded by Kimble Reynolds, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council approved the following ordinance on second reading to amend the following zoning ordinance to include governmental uses within the Clearview Business Park:

**PROPOSED AMENDMENT TO THE ZONING ORDINANCE**

*(italicized bold indicates addition)*

**SECTION XIII. BUSINESS AND MANUFACTURING DISTRICTS**

C. Uses Permitted by Special Use Permit in the B-1 District

1. ***Public buildings intended for use solely by municipal, county, state or federal government not conducted primarily for gain, and*** public utility stations or substations, telephone, radio and television towers, ***water and sewage treatment plants***, water tanks and towers, may be permitted subject to this section. The petition for a special use permit shall be accompanied by:
  - a. A statement of declaration in the public interest;
  - b. Plans showing the locations and approximate size and height of all existing and proposed structures within the site and all buildings and structures within five hundred (500) feet adjacent thereto
  - c. Plans showing the proposed provisions for fencing and other protective provisions for screening at the lot lines adjacent to abutting residential property
  - d. Plans showing the anticipated service area of the facility to be constructed
  - e. Plans showing proposed setbacks in compliance with District regulations and parking areas in accordance with Section XIV.

City of Martinsville, Virginia Ordinance No. 2009-

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN ZONING ORDINANCE SECTION XIII, BUSINESS AND MANUFACTURING DISTRICTS, OF THE CITY OF MARTINSVILLE, VIRGINIA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARTINSVILLE, VIRGINIA, in regular session assembled \_\_\_\_\_, 2009, that the City of Martinsville Zoning Ordinance, Section XIII, C.1., Business and Manufacturing Districts, be amended, revised, and reordained to read as follows:

Section XIII. Business and Manufacturing Districts, ordinance text as given herein

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

On a motion by Gene Teague, seconded by Kimble Reynolds, with the following 4-1 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, nay, Council approved issuing the special use permit with previously specified conditions allowing the property at 20 Progress Drive to be used by Henry-Martinsville Department of Social Services.

Business from the floor: John Matthews thanked Council for their action taken on the DSS issue.

Comments by Council members: Stroud—encouraged by good turnout on Vision Day; Turner—noted safety issues with putting bike lanes in for the Liberty St. expansion; Lawson—pointed out Liberty St. lanes will be 10½ feet wide and that should be sufficient for the tractor trailers which are 9 feet wide as well as the planned bike lanes; asked for an update at the next meeting on Uptown trash pick up issue and possibility of a dumpster Uptown for cardboard; asked for update on Roundabout Road issues; and thanked all for condolences and prayers for her family due to the death of her father.

Comments by City Manager: The City Manager reported 21 applications were received for HR director and 5 were interviewed; he explained bond rating process

July 28, 2009

noting that it was an outstanding achievement for the city to maintain their current bond rating; he commended City Council for their commitment of time to the Vision Day event noting that it speaks highly of Council to the citizens.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon 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 convened in Closed Session, for the purpose of discussing the following matters: (A) Appointments to Boards and Commissions as authorized by Subsection 1 (B) The condition, acquisition, use or disposition of real property as authorized by Subsection 3.

At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during said Session. On a motion by Kimble Reynolds, seconded by Mark Stroud, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; Mr. Teague, aye; and Mr. Turner, aye, Council returned to Open Session.

On a motion by Kimble Reynolds, seconded by Danny Turner, with a 5-0 vote, Council agreed to re-appoint Aleen Wilson of 12 Letcher Court to serve a 3 year term on the Tree Board ending 3/31/12. No other actions were taken.

There being no further business, Mayor Lawson adjourned the meeting at 10:38 pm.

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Clarence C. Monday  
Clerk of Council

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Kathy C. Lawson  
Mayor