

August 11, 2009

The regular meeting of the Council of the City of Martinsville, Virginia, was held on August 11, 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, Kenneth Draper, Kris Shrader, Dan Howell, Chris Morris, and Dennis Bowles.

Following the invocation by Council Member Gene Teague and Pledge to the American Flag, Mayor Lawson welcomed everyone to the meeting, including Brian Brown and John Crandall, representatives from a new company, Renewable Engineered Systems.

On a motion by Kimble Reynolds, seconded by Gene Teague, with a 4-0 vote, with Mayor Lawson abstaining, Council approved the minutes of the July 14, 2009 Council meeting.

City Manager Clarence Monday gave a brief overview of the scholarship program offered to local students by American Municipal Power. He then introduced Eric Lloyd of American Municipal Power who presented the \$2,000 student scholarship to Juelyan Via, a recent graduate of Martinsville High School, one of four awarded by American Municipal Power.

Mayor Lawson read a proclamation proclaiming National Payroll Week requested by the American Payroll Association. The City Manager commented that payroll employees are an important part of the business world and commended the City's payroll employees for a job well done.

The proclamation for Health Center Week was not presented at the meeting as no representative was in attendance.

Mark Heath of the Martinsville-Henry County Economic Development Corporation presented his monthly report to Council outlining current projects and statistics. He reported on Commonwealth Crossing and Bryant site master plan, endeavors to seek stimulus funding, tourism update, and noted prospects are showing interest in our broadband capabilities.

Fire Department personnel, Chief Kenneth Draper, Kris Shrader and Dan Howell presented information on the fire truck replacement plan asking for

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Council's willingness to match a grant for the purchase of a new engine through the Assistance to Firefighters' Grant Program (AFG) as well as go forward with the RFP process. To replace fire apparatus every five years was part of the plan presented to Council in 2007. It was pointed out that the City will make the last payment on the ladder truck in May of 2010 and it takes 18 months to plan, order, purchase, and receive a new fire truck. If the city is not awarded this grant, administration is asking for Council to authorize the purchase. Discussion included: use of fire engines for medical calls, staffing issues, possible need for another ambulance to assure we have the right equipment, and the need to stay on target of equipment replacement every five years to maintain ISO standards. By consensus, Council all agreed to go forward in pursuing the grant and the RFP with further detailed information to be provided to Council at another Council meeting or work session.

On a motion by Kimble Reynolds, seconded by Danny Turner, with a 5-0 vote, Council approved the FY2009-10 Performance Contract between Piedmont Community Services and the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services. Jim Tobin of Piedmont Community Services was in attendance at the meeting noting that state law requires Piedmont Community Services to submit this contract each year for review and approval by the local government, but the city's approval does not make the city a party to the contract nor does it create additional responsibility.

Further discussion was conducted by Council regarding the ordinance that would provide a tax credit for certain real property rehabilitation and renovation. Ruth Easley briefed Council on the additional information provided regarding the potential impact of prior year's building permits. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council agreed to set a public hearing for the next Council meeting which meets the advertising requirements, either August 25 or September 22.

City Attorney Eric Monday presented the following information on Electoral Board voting precincts changes and an ordinance requiring Council's approval: (1) **Precinct 001**, located at 605 Fourth Street and currently named "Piedmont Regional Criminal Justice Training Academy" is renamed

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“Martinsville City Housing Office” to reflect its current use. (2) **Precinct 003**, located at 1001 Douglas Avenue and currently named “Virginia Museum of Natural History” is relocated to 21 Starling Avenue and named “Virginia Museum of Natural History” to reflect the unavailability of the current location and the relocation of the Museum to the new address. (3) **Precinct 005**, located at 746 Indian Trail and currently named “Druid Hills School” is re named “Martinsville City Schools Administrative Offices” to reflect its current use. On a motion by Danny Turner, 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 approved the ordinance, on first reading, to make the voting precinct changes as requested by the Electoral Board. There was brief discussion on the reason the precinct location was outside the district due to no other suitable location being available.

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 resolution of intent to participate in the FY2010 Revenue Sharing Program with VDOT for Rives Road Reconstruction Project:

RESOLUTION

A RESOLUTION OF INTENT TO PARTICIPATE IN THE FY 2010 VDOT REVENUE SHARING PROGRAM FOR THE RIVES ROAD RECONSTRUCTION PROJECT

WHEREAS, the City of Martinsville desires to submit an application for an allocation of funds of \$400,000 (\$200,000 state and \$200,000 city) through the Virginia Department of Transportation Fiscal Year 2009-10 Revenue Sharing Program; and,

WHEREAS, \$400,000 of these funds are requested to fund the Reconstruction of Rives Road , From Mulberry Road to Rives Road Industrial Park (0.61 mi);

THEREFORE, BE IT RESOLVED, that the City of Martinsville hereby supports this application for an allocation of \$400,000.00, representing a fifty/fifty match program, through the Virginia Department of Transportation Revenue Sharing Program; and,

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute, on the behalf of the City of Martinsville, all necessary agreements required in conjunction with said project.

Adopted this 11th day of August 2009

Project Engineer Chris Morris presented information regarding a possible traffic signal at Greyson Street and Liberty Street noting that a signal warrant analysis was done in 2003 which showed no signal light was warranted at that time and the traffic count now is 10,000 a day on Liberty Street which is down from the original study. After discussion and by consensus, Council agreed to the staff suggestion that we let the Liberty Center signal light and other Liberty Street improvements do their work and then re-visit this issue at a later date if need be. Mr. Morris also reported that the Transportation Safety Commission

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is looking at the Salmon Street and East Church Street intersection and they agree that the speed of traffic coming down the hill on East Church Street is a problem. During the discussion period of this Liberty Street issue, Mr. Morris noted there have been some citizen concerns raised regarding the safety of the proposed bike lanes on Liberty Street and he advised the bike lanes have been approved using all safety standards.

After discussion and on a motion by Danny Turner, 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 agreed to adopt the following resolution requesting VDOT to proceed with right of way acquisition for Rt. 174:

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO PROCEED WITH RIGHT-OF-WAY ACQUISITION FOR THE ROUTE 174 / LIBERTY STREET IMPROVEMENTS PROJECT

WHEREAS, a "Notice of Willingness to Hold a Public Hearing" was posted for the purpose of considering the design features for Project No. 0174-120-103, PR-101, RW-201, C-501, UPC No. 52077 in the City of Martinsville; and

WHEREAS, no requests were received or all inquiries were satisfactorily answered, so that a public hearing is not required; and

WHEREAS, Section 33.1-89 of the Code of Virginia authorizes the Department of Transportation to acquire rights of way for the construction of such projects, upon official request from the City; and

WHEREAS, the City Council has previously requested the Department to program this project; now

THEREFORE, BE IT RESOLVED, that the City Council of Martinsville hereby approves the major design features of the proposed project as presently designed; and

BE IT FURTHER RESOLVED that the City of Martinsville requests the Virginia Department of Transportation to acquire all rights of way necessary for this project conveying said rights of way to the City at the appropriate time; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute, on behalf of the City of Martinsville, all necessary agreements required in conjunction with said project.

Jeff Joyce, Assistant Public Works Director, gave an update on refuse collections services offered in the Uptown area, following up on issues discussed at the May 26, 2009 Council meeting. He reported improvements in the cooperation of Uptown businesses in setting their trash out too early, but there are still a couple of businesses to work with. He reported another cardboard recycling bin will be available at the city's recycling center on Market Street. Jeff pointed out several statistics on recycling efforts and their numbers. Council asked that a fact sheet be prepared for Council on the recycling statistics and tipping fee costs at the landfill. Council asked that a tour stop at the landfill be part of their Neighborhood Tour on September 8 to see the methane collection system at the landfill.

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

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BUDGET ADDITIONS FOR 08/11/2009

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY10</u>				
<u>GENERAL FUND</u>				
01102925	436103	Non-categorical Federal - Recovery Act Byrne/JAG		38,558
01311085	506082	Police Dept - Byrne/JAG Program	38,558	
Appropriate Recovery Act Byrne/JAG funds				
Total General Fund:			38,558	38,558

After discussion and briefing by Wayne Knox, Council agreed to set a public hearing for August 25, 2009 regarding expansion of boundary lines of the existing Cherry Street CDBG Project boundaries with a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote.

Business from the floor: Brian Brown and John Crandall of Renewable Engineered Systems gave a brief overview of the offering of their new business which is located in the city's incubator at present. Dr. Scott Kizner gave an update to Council on SOL scores in the city school system noting that the gap is closing and every subgroup of students is improving. City Attorney Eric Monday reported he had received citizen concerns regarding the pedestrian signal where the Uptown Rail Trail crosses Lester Street. City staff is to bring back a recommendation to Council after examining the issue and working with the Transportation Safety Commission.

Comments by Council members: Turner—asked for a year end Mustangs report; Reynolds—commended city schools for their progress and noted he is very proud of Juelyan Via for being selected as the scholarship recipient; Mayor Lawson—also expressed praise to school system for raising the bar on education, also requested a report to Council on Mustangs, reported citizen concerns regarding dog walkers in Uptown area that are not properly disposing of their dog wastes, and noted Council's Neighborhood meeting will be held at Wilson Park on September 8 after their tour of the Uptown/Druid Hills areas.

Comments by City Manager: Mr. Monday reported plans are in place to hold update sessions on Council's goals & initiatives in September and again in March 2010 which will include Council and staff. He asked that Council members email Mrs. Prillaman information on any particular goals they would like updates on during the sessions.

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In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Kimble Reynolds, 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) The condition, acquisition, use or disposition of real property as authorized by Subsection 3 and (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 said Session. On a motion by Danny Turner, 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. No action was taken.

There being no further business, Mayor Lawson adjourned the meeting at 10:49 pm.

Clarence C. Monday
Clerk of Council

Kathy C. Lawson
Mayor