

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:30 pm regular session
Tuesday, August 27, 2013

7:30—Regular Session

Invocation & Pledge to the American Flag-Vice Mayor Gene Teague.

1. Consider approval of minutes of July 9, 2013 (2 mins)
2. Consider adoption of resolution and approval, on second reading, of amendment to an ordinance related to residency requirements for City employees. (10 mins)
3. Recognition of employees eligible for Employee Service Awards. (2 mins)
4. Presentation of Proclamation recognizing National Day to Serve, September 15-29, 2013. (2 mins)
5. Presentation of Proclamation recognizing Baby Safety Month September 2013. (2 mins)
6. Presentation of Proclamation recognizing National Payroll Week. (2 mins)
7. Consider setting a public hearing for amendments to the Zoning Ordinance related to home child care. (5 mins)
8. Consider adoption of a resolution setting the allocation percentage for personal property tax relief for qualifying vehicles in the City of Martinsville for tax year 2013.
9. Consider approval of consent agenda. (2 mins)
10. 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.
11. Comments by members of City Council. (5 minutes)
12. Comments by City Manager. (5 minutes)



City Council Agenda Summary

Meeting Date: August 27, 2013

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes of City Council meeting July 9, 2013.

Summary: None

Attachments: July 9, 2013

Recommendations: Motion to approve minutes as presented

July 9, 2013

The regular meeting of the Council of the City of Martinsville, Virginia, was held on July 9, 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, Vice Mayor Gene Teague, Mark Stroud, Sharon Brooks Hodge and Danny Turner. Staff present included: Leon Towarnicki, City Manager, Brenda Prillaman, Eric Monday, 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 Danny Turner, seconded by Mark Stroud, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and 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) 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. (C) A personnel matter as authorized by Subsection 1.

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 Danny Turner, seconded by Sharon Brooks Hodge, with the following recorded 5-0 vote: Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; and Turner, aye, Council returned to Open Session.

Following the invocation by Mayor Adkins and Pledge to the American Flag, the Mayor welcomed everyone to the meeting and announced one addendum to this agenda from the Electric Department.

Boards & Commissions actions taken:

Planning Commission-on a motion by Danny Turner, seconded by Gene Teague, with 5-0 vote, Council appointed John Hale, 1249 Lanier Rd. to a 4-year unexpired term ending 6/30/16.

Architectural Review Board-on a motion by Mark Stroud, seconded by Sharon Brooks Hodge, with a 5-0 vote, Council appointed Mary Rives Brown, 334 E. Church St. Apt B-3, to a 3-year unexpired term ending 3/31/15.

Minutes: Council Member Stroud asked that the May 28 minutes reflect his uncle's name, Clyde England, in Council Comments section. On a motion by Danny Turner, seconded by Gene Teague, with a 5-0 vote, Council approved the minutes as amended of the May 14, 2013 and May 28, 2013 meetings.

APCO customer transfer to city: Dennis Bowles briefed Council on the customer transfer proposal. Appalachian Power Company (APCo) presently serves 14 customers in the Forest Park subdivision consisting of 12 residential customers on Valley View Drive, one residential customer on Mulberry Road and the Forest Park Country Club. APCo is requesting the City to serve these customers with electric power due to the customers being in close proximity to our existing lines, providing the City ease of access to the potential customer base at a minimal line construction cost to the City.

The revenue generated from the acquisition of these 14 customers adequately offsets the line construction cost in the first year. On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with a 5-0 vote, Council agreed to accept the proposal to acquire the APCo customers.

July 9, 2013

Community Development Projects Update: Community Development Director Wayne Knox briefed Council in detail on all the completed projects, projects in progress, and projects in the planning stages of the Community Development Department.

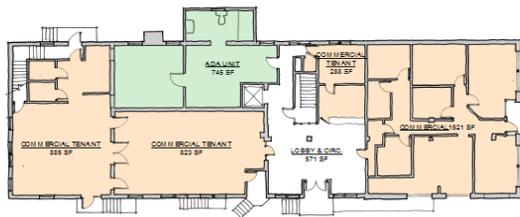
Henry Hotel Update: Leon Towarnicki, City Manager, briefed Council on past and present redevelopment efforts of the Henry Hotel including the RFP issued by the City. Waukeshaw Development of Petersburg, VA submitted a proposal and Dave McCormack and Edwin Gaskin were introduced to make their presentation to Council about who they are and their proposal for the Henry Hotel.

Henry Hotel Proposed Building Program:

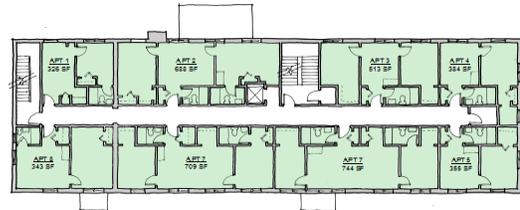
- Comprehensive code-compliant renovation
- Preserving and highlighting historic features
- Rehabilitating and restoring the exterior
- Four commercial spaces on the ground floor
- 1 ADA unit on the ground floor
- 24 studio and one-bedroom units on upper floors
- Laundry and storage facilities in basement



HENRY HOTEL | SCHEMATIC BASEMENT FLOOR LAYOUT



HENRY HOTEL | SCHEMATIC FIRST FLOOR LAYOUT



HENRY HOTEL | SCHEMATIC SECOND, THIRD, & FOURTH FLOOR LAYOUT

Cost Estimates:

- \$3.4M total cost
- \$2.6M hard cost construction
- \$800K soft costs – includes construction interest, construction contingency, etc.

Market Potential:

- Market study performed by Danter in 2010, with update in September 2012
- Lack of high-quality rental housing in Martinsville
- Current housing supply is outdated and in need of renovations
- Occupancy rates are strong – mostly 90%+
- An additional 132-164 units in inventory needed

Market Potential considerations:

- Market rates are low
- Recommended rates range from \$384 for a studio to \$897 for a 2 BR/2 BA unit
- Waukeshaw proposes rents in \$500-650 range for studios and one bedrooms
- Absorption anticipated to average 2 - 2.5 units per month at lease up
- Stabilization (90% occupancy) in 7.5 – 9.5 months

Incentives & Potential Funding Sources:

- New Market Tax Credits
- Historic Tax Credits – State and Federal
- DHCD/Main Street Program
- Enterprise Zone Real Property Grant
- Bank Financing

Mr. Towarnicki reviewed the a proposed sale and development contract noting that the sale contract calls for the city to sell the Hotel to Waukeshaw for \$1.00. The City will assist with the IRF grant application process and the property will be eligible for enterprise zone benefits. City Administration’s recommendation is that Council

July 9, 2013

authorize staff to sell the building to Waukeshaw Development for \$1.00. It was noted that the Harvest Foundation will forgive the existing loan if the city accepts the development agreement.

Mayor Adkins entertained a motion to recess City Council and convene as the Martinsville Redevelopment & Housing Authority. A motion was made by Gene Teague, seconded by Mark Stroud, with a 5-0 vote, to convene as MRHA.

Martinsville Redevelopment & Housing Authority action on Henry Hotel: On a motion by Gene Teague, seconded by Danny Turner, with the following 5-0 recorded vote, Adkins-aye; Teague-aye, Turner-aye; Hodge-aye; Stroud-aye, the Martinsville Redevelopment & Housing Authority approved the contract of sale of the Henry Hotel property to Waukeshaw Development. On a motion by Gene Teague, seconded by Mark Stroud, the Martinsville Redevelopment & Housing Authority adjourned and City Council was re-convened.

City Council action on Henry Hotel: On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with a 5-0 vote, Council approved authorizing the execution of the Henry Hotel development agreement with Waukeshaw Development subject to final contract modifications.

State holidays resolution: On a motion by Sharon Brooks Hodge, seconded by Mark Stroud, Council approved the following required resolution regarding the state holiday schedule observed by City employees:

<u>RESOLUTION</u>	
<p>WHEREAS, Section 2-1 of the City Code states that leave regulations for City employees under the jurisdiction of the City Manager shall be established by ordinance or resolution; and</p>	
<p>WHEREAS, the City Administration recommends City employees continue to accrue and accumulate annual leave and sick leave at the current rates and limits; and</p>	
<p>WHEREAS, the City Administration recommends the City continue to observe the state holiday schedule officially designated and approved by the Governor of Virginia, unless otherwise approved by the City Manager, as contained in Chapter VII of the Employee Manual; now, therefore,</p>	
<p>BE IT RESOLVED by the Council of the City of Martinsville, Virginia, in regular session assembled on July 9, 2013, that it does hereby approve the observance of the official state holiday schedule, and the accrual and accumulation rates for annual and sick leave, as incorporated in the employee manual, for all full-time City employees under the jurisdiction of the City Manager, to be effective January 1, 2013.</p>	

Attachment	
Attest:	
	
Brenda H. Prillaman, Clerk of Council	
<u>July 9, 2013</u> Date Adopted	
<u>January 1, 2013</u> Date Effective	

Business from floor: Ural Harris, 217 Stuart St.-comments on AMP Prairie State facility and rates. Council directed staff to provide an update at a future Council meeting on the electric stabilization rate and where we are with rates as were budgeted and how it affects the consumer in relation to their individual power bills.

Council comments: Hodge-excited to move forward with Henry Hotel project; Teague-expressed appreciation to the Harvest Foundation and pointed out they should be given credit for their contribution to the exciting Henry Hotel project as well as the contributions of city staff working on this endeavor; Stroud-echoed Teague's comments noting the Henry Hotel is very important for Uptown; Turner-wished success to Stone Dynamics in their new location.

City Manager comments: gave an update on the Greyson St. /Liberty St. construction project noting it is scheduled for completion by end of the year.

July 9, 2013

There being no further business, the meeting adjourned at 9:15pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor



City Council Agenda Summary

Date: August 27, 2013

Item No: 2.

Department: City Manager, City Attorney

Issue: Consider adoption of resolution and approval, on second reading, of repeal of ordinance relating to residency requirements for City employees.

Summary: Staff recommends that the residency requirements for department heads be repealed, as set forth in the attached ordinance (deletions in ~~strike~~through, additions in *italicized underlined*).

The attached resolution rescinds an earlier resolution listing particular offices subject to the requirement.

Council may wish to add or delete particular offices.

Attachments: Ordinance and Resolution

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

Motion to approve resolution on voice vote.

RESOLUTION

WHEREAS, the Council of the City of Martinsville adopted on October 26, 2004 an ordinance amending Section 2-3 of the City Code, requiring residency within the City for certain employees of the City; and

WHEREAS, Section 2-3 provides that officials subject to the ordinance may be set forth by resolution of the City Council; and

WHEREAS, the City Council has, concurrently with this resolution, voted to repeal that ordinance; now, therefore

BE IT RESOLVED, by the City Council of the City of Martinsville Virginia, convened in regular session on August 13, 2013, that its prior resolution dated October 26, 2004, listing specific offices subject to the residency requirements set forth in Section 2-3 of the City Code is hereby rescinded.

BE IT FURTHER RESOLVED, that notwithstanding the repeal of the ordinance and the rescission of the resolution, Council desires that when the City fills employment vacancies, in the event of applicants of similar qualifications, preference for employment be given to the applicant having residency in the City, expressing a binding intention to obtain residency in the City upon employment, or accepting the requirement of residency in the City as a condition of employment.

* * * * *

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE NO. 2013-7

REPEAL OF RESIDENCY REQUIREMENT

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled on August 27, 2013, that section 2-3 of the Code of the City of Martinsville, be repealed:

Sec. 2-3. - Residency required for certain employees.

~~The city manager, the city attorney, the assistant city manager and the head of any department of the city established pursuant to the Charter, the City Code, or resolution of the city council shall establish residence within the corporate boundaries of the city no later than twelve (12) months after the commencement of employment and shall thereafter maintain residence within the corporate boundaries of the city during the term of his or her employment. The city manager may make exceptions to the requirements established hereby when unusual or extraordinary conditions exist that would constitute a hardship for an applicant. A determination as to whether such employee resides in the city shall be made by the city manager, with the exception of the city manager's residency, which shall be determined by the city council. This section shall apply to any new employee and to any existing employee subsequently promoted to an office or position affected hereby. This section shall not apply to any person employed in an office or position affected hereby if such person was so employed prior to this section's enactment, nor shall it apply to any person employed by the city at least fifteen (15) years prior to this section's enactment. Violation of this section shall result in termination of employment.~~

Repealed.

(Ord. No. 2004-17, 10-26-2004)

* * * * *

Attest:

Brenda Prillaman, Clerk of Council

Date Adopted

Date Effective

Meeting Date: August 27, 2013

Item No: 3.

Department: Human Resources

Issue: Recognition of City Employees who are eligible for Service Awards – July 1 through September 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 and Constitutional employees who are eligible for the service award for the first quarter of FY 13-14.

TO BE READ BY MAYOR. NO ACTION NECESSARY.

**SERVICE AWARD RECIPIENTS
FIRST QUARTER - FISCAL YEAR 13-14
FOR THE PERIOD OF JULY 1 THROUGH SEPTEMBER 30, 2013**

EMPLOYEE	DEPARTMENT	YEARS
Andy Powers	Fire Department	5
Eric Eggleston	Police Department	5
Marcus Gravely	Police Department	5
Reva Stockton	Sheriff's Department	5
Cecil Lowe	Housing/Community Development	10
Tammy Davis	Inspections	10
Brenda Eggleston	Sheriff's Department	15
Sharon Echols	Utility Billing	25
James Minter	Police Department	30
Douglas Huston	Public Works	35

Meeting Date: August 27, 2013

Item No: 4.

Department: City Council

Issue: Presentation of proclamation recognizing National Day to Serve, September 15-29, 2013.

Summary: The governors of Virginia, Maryland, and West Virginia and the Mayor of Washington, D.C., have come together to support “Day to Serve.” This unique event has inspired a diverse group of people of our larger region to set aside their political, religious, and cultural differences to strengthen our collection communities by coming together to “feed the hungry, protect and enhance the environment, as well as strengthening our communities.”

Last year, “Day to Serve” resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks. These events also helped to improve the environment through planting trees, cleaning up parks and streams, and supporting “adopt a road” campaigns.

Governor Bob McDonnell has declared the week of September 15-29, 2013 as a “Day of Service” in Virginia. Governor McDonnell stated that the fight against hunger is an important one and the day to serve will be a tremendous opportunity to do something meaningful and make a real difference on the issue of hunger. All residents of Martinsville are encouraged in the to contribute to this important effort by helping to stock food pantry shelves, dropping off a bag of canned goods at a local donation bin or making a monetary contribution.

City staff will present additional information regarding events and activities being organized/sponsored by the City.

Attachments: Proclamation

Recommendations: Presentation only.



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

WHEREAS, helping the poor and needy is a common thread that runs through the fabric of all religions, and, given the rising levels of unemployment, underemployment, and homelessness, it is fitting to encourage community action to improve the circumstances of those struggling with the effects of the local economic turndown, natural disasters and other misfortunes and improve the quality of life in Martinsville; and

WHEREAS, kindness is the most valuable support to the well-being of those in need, and there is an abundance of opportunities for the citizens of Martinsville to take selfless action, such as volunteering at homeless shelters, food banks, and community agencies like the Red Cross; enabling others to become self-reliant by assisting displaced workers in finding jobs, teaching financial literacy and other life skills to the undereducated, and serving as mentors to at-risk youth and the underprivileged; and also helping communities organize resources, such as participating in food, clothes and blood drives or making charitable contributions to organizations; and

WHEREAS, it is important and proper to recognize days in which our citizens are encouraged to make a concerted and united effort to care for the poor and needy, to give service, and to design projects where families and individuals can assist those in need and improve the quality of life in Martinsville;

WHEREAS, hunger and poverty are issues of grave concern and the City of Martinsville is committed to taking steps to raise awareness about the need to combat hunger in every part of our city and to provide additional resources to those in need; and

WHEREAS, hunger is a issue that transcends geographic and faith boundaries; and more than 1,012,500 individuals in Virginia rely upon food provided by the members of the Federation of Virginia Food Banks annually; and

WHEREAS, the members of the Federation of Virginia Food Banks distributed more than seventy million pounds of food in 2012 through its network of food pantries, soup kitchens, shelters and other community organizations; and there are many ways to serve, including the giving of time, talent and monetary donations to this important cause; and

WHEREAS, food banks across the country, will be hosting numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community;

WHEREAS, I, Kim Adkins, along with member of Martinsville City Council, call upon all faith-based organizations, community groups, civic organizations, and the citizens of Martinsville to come together and perform service in the community; and

NOW, THEREFORE BE IT RESOLVED that the Martinsville City Council does hereby proclaim and support the week of September 15-29, 2013 and encourage citizens to participate in a **DAY OF SERVICE** for the City of Martinsville.

Kim Adkins
Mayor



City Council Agenda Summary

Meeting Date: August 27, 2013

Item No: 5.

Department: City Council

Issue: Presentation of proclamation recognizing Baby Safety Month September 2013.

Summary: Teresa Prillaman from the Martinsville Exchange Club 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, more than 3.2 million cases of Child Abuse were reported last year affecting the lives of millions of children into whose hands we will eventually entrust the future of our Nation; and

WHEREAS, roughly shaking a baby can cause brain damage or death, the Martinsville Exchange Club is promoting the month of **September as Baby Safety Month**, and look to educate the public about the dangers of Shaken Baby Syndrome; and

WHEREAS, Shaken Baby Syndrome occurs when a young child's head is snapped back and forth during violent shaking, and it occurs most frequently in infants younger than six months, yet can occur up to the age of three; and

WHEREAS, a child's head and neck muscles are weak and still developing, shaking a baby for only a few seconds can injure the baby for life;

Now, therefore, as **Mayor** of the City of Martinsville, Virginia, I, Kim Adkins, ask our citizens and, in particular, parents to respond to the call of preventing Child Abuse and support the Exchange Club as they make a concentrated effort to make children our number one priority;

And, further, I do hereby proclaim the month of September 2013, as **Baby Safety Month in Martinsville, VA**, to help focus public attention on this problem and to join forces with the Exchange Club of Martinsville & Henry County through both example and education to combat Child Abuse; and

Kim E. Adkins
Mayor



City Council Agenda Summary

Meeting Date: August 27, 2013

Item No: 6.

Department: City Council

Issue: Presentation of proclamation recognizing National Payroll Week September 2-6, 2013.

Summary: The American Payroll Association has requested City Council's support of National Payroll Week.

No representatives will be present at the meeting, however, staff will mail the signed proclamation after the formal recognition at the Council meeting.

Attachments: Proclamation

Recommendations: Recognition only.



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

Whereas, the American Payroll Association, with over 20,000 members, strives to increase awareness of the importance of payroll and the payroll professional's role in the U.S. business community. It is intended to pay tribute to the more than 156 million wage earners who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

Whereas, payroll professionals in **Martinsville, Virginia** play a key role in maintaining the economic health of **Martinsville**, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting and depositing; and

Whereas, payroll departments contribute, collect, report, and deposit approximately \$1.7 trillion, or 71.8% of the annual revenue of the U.S. Treasury; and

Whereas, payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify noncustodial parents and making sure they comply with their child support mandates; and

Whereas, payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

Whereas, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

Whereas, the week in which Labor Day falls has been proclaimed National Payroll Week, I, Kim Adkins, hereby give additional support to the efforts of the people who work in **Martinsville, Virginia** and of the payroll profession by proclaiming September 2–6, 2013 as

National Payroll Week for the City of Martinsville, Virginia.

Kim Adkins
Mayor
City of Martinsville, Virginia

Meeting Date: August 27, 2013

Item No: 7.

Department: Community Development

Issue: Consider setting a public hearing for amendments to the Zoning Ordinance related to home child care.

Summary: At present, the City of Martinsville allows home child care as a home occupation, caring for up to six (6) children as a use permitted by right in all residential and professional districts. The Virginia Department of Social Services (DSS) will license home child care for up to twelve (12) children. In recent years, DSS would issue a license to a home child care operator without requiring contact with the local Zoning office. Due to the inconsistency between the two offices, several home child care businesses have technically been in violation of our local statute.

Officials with Smart Beginnings approached the City's Zoning Office inquiring about an amendment to the Zoning Ordinance to bring the City more in line with the State's license. Officials with Smart Beginnings worked with the City of Danville on this same issue in 2012 and that effort was very successful. The Planning Commission discussed this issue over several meetings. The Building Official/Fire Marshal, Commissioner of Revenue, and the DSS Licensing Office were consulted for their input on this subject and this endeavor has fostered a renewed working relationship between the offices that has been lacking in recent years.

After several work sessions, the Planning Commission has finalized their recommendation.

The recommendation is as follows:

- A. Amend the number of children permitted by right in a home child care from six (6) to five (5) non-related children.**
- B. As a separate item, add home child care as a use permitted by special use permit for caring for between six (6) and twelve (12) non-related children.**

The Planning Commission held a duly advertised public hearing on July 18, 2013. No one spoke against the amendment and the Planning Commission voted unanimously (5-0) to send this amendment to City Council for their consideration.

Attachments: Planning Commission Letter
Proposed Amendment to the Zoning Ordinance

Recommendations: Staff recommends that City Council consider setting a public hearing for Tuesday, September 24, 2013 on the proposed amendment to the Zoning Ordinance.



August 15, 2013

Mayor Kim Adkins
Members of City Council
City of Martinsville
P. O. Box 1112
Martinsville, VA 24114

RE: Amendment to the Zoning Ordinance (Home Child Care)

Dear Mayor and City Council Members:

The Planning Commission, at its meeting on July 18, 2013, conducted a duly advertised Public Hearing on a request by the City of Martinsville, for a proposed amendment to the Martinsville Zoning Ordinance related to home child care facilities.

At the public hearing, it was noted that this request would decrease the number of children permitted by right in a home child care from six (6) to five (5) non-related children and would add home child care as a use permitted by special use permit for caring for between six (6) and twelve (12) non-related children. There were several positive public comments voiced at the public hearing. There were no public comments voiced against the amendment at the public hearing.

The Planning Commission voted unanimously (5-0) to recommend the proposed amendment to City Council. The Planning Commission respectfully submits the recommendation for consideration.

Yours Truly,

James A. Crigger, Secretary

Wayne D.P. Knox

Director of Community Development

/tr

cc: Timothy D. Martin, Chairperson
James A. Crigger Jr., Secretary

PROPOSED AMENDMENTS – ZONING ORDINANCE

(Strikethrough indicates deletion; **italicized bold** indicates addition)

SECTION X: RESIDENTIAL DISTRICTS

B. Uses permitted by right in the R-16 District.

(4) Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

D. Uses permitted by special use permit in the R-16 District.

(7) Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

F. Uses permitted by right in the R-9 District.

(14) Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

H. Uses permitted by special use permit in the R-9 Residential District.

~~{(7) Reserved.}~~ **Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.**

J. Uses permitted by right in the R-6 District.

[12.]16. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

L. Uses permitted by special use permit in the R-6 Residential District.

11. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

SECTION XI: PROFESSIONAL DISTRICTS

B. Use permitted by right in the P-1 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

D. Uses permitted by special use permit in the P-1 district.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

F. Uses Permitted by right in the P-2 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

H. Uses permitted by special use permit in the P-2 District.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

J. Uses permitted by right in the RP-1 District.

8. Home child care operated as an incidental home occupation, caring for not more than ~~six (6)~~ **five (5) non-related** children, with an outdoor play area equivalent to at least one hundred (100) square feet per child and otherwise complying with requirements of the definition of a home occupation.

L. Uses permitted by special use permit in the RP-1 District.

7. Home child care operated as an incidental home occupation, caring for between six (6) and twelve (12) non-related children for less than a twenty-four (24) hour period, with an outdoor play area equivalent to at least one hundred (100) square feet per child, complying with the licensing requirements of the Commonwealth of Virginia, and otherwise complying with requirements of the definition of a home occupation.

Meeting Date: August 27, 2013

Item No: 8.

Department: Commissioner of the Revenue

Issue: Consider adoption of a resolution setting the allocation percentage for personal property tax relief for qualifying vehicles in the City of Martinsville for tax year 2013.

Summary: On December 13, 2005, Council adopted an ordinance that established a local program of personal property tax relief that requires City Council to annually set the relief allocation percentage that is anticipated to fully use the PPTRA relief funds provided to the City by the State.

The Commissioner of the Revenue has completed the annual assessment of motor vehicles that have a Martinsville tax situs for tax year 2013. By ordinance, qualifying vehicles assessed at \$1,000, or less, receive 100% relief. Qualifying vehicles with assessed values between \$1,001 and the first \$20,000 receive a calculated annual percentage of relief based on the number of qualifying vehicles and their associated assessments. The Commissioner of the Revenue estimates that a percentage rate of 57.51% will fully use all state PPTRA funds allocated to the city for Tax Year 2013.

Attachments: Resolution

Recommendations: Motion to adopt resolution

RESOLUTION
SETTING THE ALLOCATION PERCENTAGE FOR PERSONAL PROPERTY
TAX RELIEF IN THE CITY OF MARTINSVILLE FOR TAX YEAR 2013

WHEREAS, on December 13, 2005 by Ordinance 2005-8 the Martinsville City Council established a local program of tax relief that serves the best interests of its citizens regarding personal property tax on qualifying use vehicles, pursuant to modifications made by the General Assembly of Virginia to the Personal Property Tax Relief Act of 1998 (PPTRA); and

WHEREAS, the city's relief program requires the city council to adopt an annual percentage of local tax relief for personal use vehicles valued between \$1,001 and the first \$20,000 that will fully exhaust the PPTRA relief funds provided to the City by the Commonwealth of Virginia; and

WHEREAS, the Commissioner of the Revenue has completed the annual assessment of motor vehicles with Martinsville tax situs for Tax Year 2013; and

WHEREAS, the Commissioner of the Revenue estimates that a percentage of relief of 57.51% applied to the first \$20,000 of assessed values for qualifying vehicles valued over \$1,000 will fully use all available state PPTRA relief allocated for tax year 2013.

NOW, THEREFORE BE IT RESOLVED by the Martinsville City Council that 57.51% shall be the percentage of relief to be applied to the first \$20,000 in value of each qualifying vehicle with an assessed value more than \$1,000 pursuant to and in accordance with provisions of Sec. 21-10 of the Martinsville City Code.

Adopted this 27^h day of August 2013.

Kim E. Adkins, Mayor

ATTEST:

Clerk of Council

VOTE

Kim E. Adkins

Sharon Brooks Hodge

Mark C. Stroud, Sr.

M. Gene Teague

Danny Turner



City Council Agenda Summary

Meeting Date: August 27, 2013
Item No: 9.
Department: Finance
Issue: Consider approval of consent agenda.

Summary:

The attachments amend the FY13 and FY14 Budgets with appropriations in the following funds:

FY13:

General Fund: \$3,477 – Confiscated Assets & Recovered Costs

FY14:

General Fund: \$1,172 – Recovered Costs, Donations, Confiscated Assets

Electric Fund: \$16,673 – Sale of Surplus

Capital Reserve Fund: \$11,142 – Sale of Surplus

Attachments:

Consent Agenda - 8-27-13 A and Consent Agenda - 8-27-13 B

Recommendations: Motion to approve consent agenda

BUDGET ADDITIONS FOR 8/27/13

<u>ORG</u>	<u>OBJECT</u>	<u>DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>
<u>FY13</u>				
<u>General Fund:</u>				
01101917	442402	Categorical Other State - Confiscated Assets - C Atty		119
01221082	506105	Comm Atty - Conf Assets State	119	
01101917	442401	Categorical Other State - Confiscated Assets - Police		358
01311085	506078	Police Dept - Conf Assets State	358	
		sale of seized vehicle processed through DCJS		
01100909	490104	Advanced/Recovered Costs		3,000
01711210	501300	Recreation - Part-time & Temporary	3,000	
		Funds from NCI for summer intern		
Total General Fund:			3,477	3,477

BUDGET ADDITIONS FOR 8/27/13

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY14</u>				
<u>General Fund:</u>				
01100909	490104	Advance/Recovered Costs		125
01321102	506130	Fire Dept. - Repair/Maint - Burn Building Reimbursement from Patrick County	125	
01100908	480410	Miscellaneous - Donations/Fire Department		500
01321102	506112	Fire Dept. - Fire Supplies Donation	500	
01100909	490104	Advance/Recovered Costs		100
01412141	506001	Engineering - Office Supplies Reimbursement - Copies of Plans	100	
1101917	442402	Categorical Other State - Confiscated Assets - C Atty		112
1221082	506105	Comm Atty - Conf Assets State	112	
1101917	442401	Categorical Other State - Confiscated Assets - Police		335
1311085	506078	Police Dept - Conf Assets State	335	
Total General Fund:			1,172	1,172
<u>Electric Fund:</u>				
14100905	414209	Sales of Surplus Materials		16,673
14563338	506007	Substation Maintenance Funds from GovDeals sales	16,673	
Total Electric Fund:			16,673	16,673
<u>Capital Fund:</u>				
16100905	416209	Sales of Surplus Materials		11,142
16572362	508080	Fire Dept. - Tools/Equipment Funds from GovDeals sales	11,142	
Total Capital Fund:			11,142	11,142