

September 13, 2011

The regular meeting of the Council of the City of Martinsville, Virginia, was held on September 13, 2011, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Brenda Prillaman, Eric Monday, Linda Conover, Leon Towarnicki, Mike Rogers, Andy Lash, and Tony Turner. Representatives present from School Board included: Bill Manning, Craig Dietrich, Robert Williams, Carolyn McCraw, and J. C. Richardson.

Mayor Adkins called the Council meeting to order and Mark Stroud gave the invocation and Pledge of Allegiance to the flag.

Mayor Adkins gave a brief background on the financing of the proposed renovations at Martinsville High School and opened the floor for public input on the issue. Jessie Goode, 907 F St., encouraged Council to fund the renovation; Monty Ridenhour, 1231 Mulberry, commented on: city's capital needs, city employee salaries, tax increase inevitable, need to control debt, roofs should be included in renovations, local schools should be merged and should be put to voters. Gloria Hylton, 402 Second St., supports school project on what is needed, not just wanted basis—taxpayers cannot take on any more debt—should not put all eggs in one basket; Bennie Gray, former school board member, noted a big percentage of the money is to build new construction and it should be getting the biggest bang for the buck with the high unemployment here—noted a new elevator not needed—should do energy saving ideas with lighting/windows/HVAC & some work can be done in-house to save money; Mike Rogers, Police Chief, expressed appreciation to Mr. Ridenhour and Mrs. Hylton for their voice of reason in balancing funding all needs of the city; Ural Harris, 217 Stuart St., voiced concerns with a lot of waste in school system and urged Council not to tie up every penny of meals tax in school renovations; Tyler Millner of the county spoke in favor of funding the school renovations and voiced his displeasure with the procedures used by city administration in relaying information on the funding issues; Perry Harrold spoke in favor supporting school renovations and stated he is willing to pay more taxes if needed; Mike Rogers, again spoke noting his displeasure with Mr. Millner's comments and pointed out the City Manager will likely have to ask for a tax increase to balance the budget; Geri Ridenhour, Mulberry Rd., concerned that many of the needed renovations are not included in the "must do" proposal—she asked to see a list of school board needs for next five years and asked that Council look at the renovations prudently; Leonard Jones, 701 Starling Ave., spoke in favor of schools and in building a new gym; Tyler Millner spoke again noting his comments were not personal against Mr. Monday; Paul Jacobson, bond counsel, spoke regarding the legal requirements for the

September 13, 2011

QSCB; Bill Manning noted that with the 10.5 million requested, the schools can get their next 5 year's capital needs in with this project and won't have to come back asking Council for more money—he also noted the school board will continue to take suggestions on the renovations to gain a level of trust, but asked that Council move forward on the \$10.5 million request; Pam Heath made remarks regarding the proposed renovations and financing and asked that Council keep the door open at \$10.5 million. Mayor Adkins then closed the public input period.

Mayor Adkins asked that Council go with the \$9.3 million amount and she highly encouraged the school board to involve citizens in the process and she wants capital expenses in the bids.

Council Member Teague voiced his praise for the good job done by the city schools but noted we cannot measure his commitment to schools by the amount spent on schools—with no dedicated funding source, there is a fundamental problem and we have to protect future needs of the city—a professional assessment was done by the city manager and that is what he was hired to do—feels the school renovation can be done with \$6 million.

Vice Mayor Kimble Reynolds noted education should be a priority and we have to be willing to invest in ourselves—needs should be balanced with wants no matter what—he voiced his support for the Mayor's suggestion of \$9.3 million.

Mark Stroud voiced his support of the renovations with no set price yet—he is leaning toward \$8.5 million. Before Mr. Stroud's comments, City Attorney Eric Monday announced that Mr. Stroud has filed a disclosure regarding any conflict of interest as his wife is employed by the school system.

A motion was made by Danny Turner, seconded by Kimble Reynolds, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye, to approve the following resolution to set the public hearing on the school renovation financing for October 11:

RESOLUTION SETTING PUBLIC HEARING AND APPROVING RELATED ACTIONS RELATED TO POTENTIAL ISSUANCE OF BONDS

WHEREAS, City Council (**the "City Council"**) of the City of Martinsville, Virginia (**the "City"**) is considering financing capital improvements to Martinsville High School facilities (**the "Project"**) to be accomplished through the issuance by the City of its general obligation bond or bonds to the Virginia Public School Authority (**the "VPSA"**) in a principal amount not to exceed \$10,500,000 (**the "Bonds"**) in connection with the VPSA Qualified School Construction Bond program for the fall of 2011 (**the "QSCB Program"**).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARTINSVILLE, VIRGINIA:

1.The City Manager, City Attorney and other City staff, with Sands Anderson PC as Bond Counsel (**"Bond Counsel"**) and Davenport & Company LLC as financial advisor to the City (**the "Financial Advisor"**), are authorized to take actions deemed necessary and appropriate for participation in the VPSA QSCB Program to provide not more than \$10,500,000 of Bond proceeds for the Project, and such actions are hereby approved and ratified.

2.The City Manager, Assistant Finance Director, City Attorney, Bond Counsel, the Financial Advisor to the City and all other officers, employees and agents of the City are hereby authorized and directed to take such further action deemed necessary or desirable to facilitate consideration of the issuance of the proposed Bonds, including but not limited to the publication and broadcasting, as required by the City Charter, of notice of a public hearing to be held prior to final authorization by the City Council of the issuance of the Bonds. The public hearing shall be held on October 11, 2011 at 7:30 p.m. at the City Council Chambers, Second Floor, City of Martinsville Municipal Building, 55 West Church Street, Martinsville, Virginia 24112. 3.This Resolution shall take effect immediately.

September 13, 2011

A substitute motion was made by Gene Teague, seconded by Mark Stroud, to cap the meal's tax portion for the school renovation at \$500,000 to free up money for other city capital projects. The substitute motion failed 2-3 with the following vote: Adkins, nay, Reynolds, nay, Turner, nay, Stroud, aye, and Teague, aye. Mr. Reynolds noted that the meals tax should not be used to fund Commonwealth Crossing. Mr. Teague noted that without capping the amount then the conversation will not be had about how it is funded.

A motion was made by Danny Turner, seconded by Kimble Reynolds, with the following 4-1 recorded vote: Adkins, aye; Teague, nay; Reynolds, aye; Stroud, aye; and Turner, aye, to approve the preliminary financing ordinance on first reading setting the maximum principal amount not to exceed \$9.3 million:

CITY OF MARTINSVILLE, VIRGINIA
AN ORDINANCE RECITING THE EXPEDIENCY OF THE ISSUANCE OF UP TO \$_____
PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY OF MARTINSVILLE,
VIRGINIA, AND SETTING FORTH THE PURPOSE, IN GENERAL TERMS, FOR WHICH THE
BONDS ARE TO BE ISSUED, THE MAXIMUM AMOUNT OF THE BONDS TO BE ISSUED AND THE
MAXIMUM LENGTH OF TIME SUCH BONDS WILL BE OUTSTANDING

Adopted on September 13, 2011 (first reading)

Be it Ordained by the Council of the City of Martinsville, Virginia:

Section 1 - Findings and Determinations

The City Council (**the "City Council"**) of the City of Martinsville, Virginia (**the "City"**) proposes to issue bonds for the purpose of assisting in the construction, expansion, renovation and equipping of Martinsville High School in the City for school purposes (**the "Project"**) and hereby finds and determines that: (i) the City is in need of funds to be used by the City for such construction and equipment needs for the Project, for costs of issuance of the Bonds (defined below) and for payment of interest on the Bonds; (ii) the obtaining of such funds will be for municipal purposes of the City, for the welfare of citizens of the City for purposes which will serve the City and its citizens pursuant to the authority of the City to provide funds for and otherwise support the City's public schools; (iii) the most effective, efficient and expedient manner in which to provide such funds to the City is through the issuance of general obligation bonds in an original principal amount not to exceed \$_____ to be issued by the City as further described herein (**the "Bonds"**) to be used for the construction and equipping of the Project and for certain costs of issuance of the Bonds; (iv) the issuance of the Bonds is within the power of the City to contract debts, borrow money and make and issue evidence of indebtedness; and, (iv) the issuance of the Bonds is in the best interests of the City and its citizens.

Section 2 - Description of the Bonds

The City Council finds that it is expedient for the City to borrow money and issue the Bonds for the Project in a maximum amount not to exceed _____ DOLLARS (\$_____). The maximum length of time that the Bonds will be outstanding is twenty years from the date of issuance of the Bonds. The form and details of the Bonds which are proposed to be issued will be more specifically set forth in a City Ordinance to be entitled "ORDINANCE AUTHORIZING THE ISSUANCE OF A NOT TO EXCEED \$_____ GENERAL OBLIGATION SCHOOL BOND, SERIES 2011, OF THE CITY OF MARTINSVILLE, VIRGINIA TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF," which will be introduced before the Council and considered for passage following a public hearing on the issuance of the Bonds, as required by law.

Section 3 - Further Actions Authorized

The City Manager, Clerk of the Council, City Treasurer, City Attorney, Sands Anderson PC as bond counsel, Davenport & Company LLC as financial advisor to the City and all other officers, employees and agents of the City are hereby authorized and directed to take any and all such further action as shall be deemed necessary or desirable to facilitate consideration of the issuance of the Bonds. All actions of the City Manager, Clerk of the Council, City Treasurer, City Attorney, bond counsel, the City's financial advisor and all other officers, employees and agents of the City in furtherance of the issuance of the Bonds and the financing of the Project are hereby approved and ratified.

Section 4 - Invalidity of Sections

If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining portions of this Ordinance.

September 13, 2011

Section 5 - Headings of Sections

The headings of the sections of this Ordinance shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of such sections of this Ordinance.

Section 6 - Effective Date and Filing of Ordinance

Council hereby declares in the public interest that this Ordinance shall become effective immediately upon its passage. A copy of this Ordinance, certified by the Clerk of the Council, shall be filed with the Clerk of the Circuit Court of the City of Martinsville, Virginia.

Aaron Burdick of WPPPDC and Andy Lash briefed Council on the Regional Water Supply Plan and the need to conduct the public hearing at this meeting as is required by all localities in the West Piedmont Planning District Commission region in order to adopt the Water Supply Plan and adopt an ordinance which implements the Drought Response and Contingency Plan. Mayor Adkins opened the public hearing. Hearing no public comments, the Mayor closed the public hearing. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council approved the following resolution:

A RESOLUTION APPROVING THE WEST PIEDMONT PLANNING DISTRICT COMMISSION REGIONAL WATER SUPPLY PLAN

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, The City of Martinsville is a participant in the West Piedmont Planning District Commission Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

WHEREAS, on September 13, 2011, the City of Martinsville held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Martinsville hereby adopts the West Piedmont Planning District Commission Regional Water Supply Plan as it pertains to the City of Martinsville. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The City of Martinsville reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The City of Martinsville will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that the City Council of the City of Martinsville intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Martinsville at a meeting held on September 13, 2011.

On a motion by Gene Teague, seconded by Kimble Reynolds, the following ordinance was approved on first reading with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye:

Sec. 23-4 Currently reserved, is hereby enacted as follows:

Sec. 23-4 Water Emergencies

A. Authority to declare water emergencies.

During the continued existence of climatic, hydrological and other extraordinary conditions the protection of the health, safety and welfare of the residents of the City of Martinsville may require that certain uses of water, not essential to public health, safety and welfare, be reduced, restricted or curtailed. As the shortage of raw or potable water becomes increasingly more critical, conservation measures to reduce consumption or curtail nonessential water use may be necessary. The definitions, water emergency criteria, and water use restrictions referenced in this ordinance are presented in greater detail in the City of Martinsville Drought Response and Contingency Plan, which is incorporated herein by reference.

The City Manager or their designee is authorized to declare a water emergency in the City restricting the use of water in any area of the City. All water stages are built upon and require compliance with previous water stages. For example when a Drought Emergency – Stage 1 is declared all provisions of a Drought Warning are in effect. Also the City Manager or their designee may declare any of the four stages; they do not have to be declared sequentially.

B. Publication of declaration.

Upon the declaration of a water emergency, the City Manager or their designee shall immediately post a written notice of the emergency at the front door of City Hall and shall place a notice in a newspaper of general circulation in the area in which such emergency has been declared.

C. Water use considerations.

Upon the declaration of a water shortage or emergency, the City Manager or their designee is authorized and directed to implement conservation measures by ordering the restricted use or absolute curtailment of the use of water for certain nonessential purposes for the duration of the water shortage or emergency in the manner hereinafter set out. In exercising this discretionary authority, and making the determinations set forth hereof, the City Manager or their designee shall give due consideration to water levels, streamflow conditions, available/usable storage on hand, draw down rates and the projected supply capability in the City; system purification and pumping capacity; daily water consumption and consumption projections of the system's customers; prevailing and forecast weather conditions; fire service requirements; pipeline conditions including breakages, stoppages and leaks; supplementary source data; estimates of minimum essential supplies to preserve public health and safety and such other data pertinent to the past, current and projected water demands.

D. Limitation of restrictions.

September 13, 2011

The provisions of this article shall not apply to any governmental activity, institution, business or industry which shall be declared by the City Manager or their designee, upon a proper showing, to be necessary for the public health, safety and welfare or the prevention of severe economic hardship or the substantial loss of employment. Any activity, institution, business or industry aggrieved by the finding of the City Manager or their designee may appeal that decision to the City Council.

E. Water conservation measures.

Upon a determination by the City Manager or their designee of the existence of the following conditions, the City Manager or their designee shall take the following actions that shall apply to all water users in the City:

(a) Drought Watch: When moderate but limited supplies of water are available and a drought watch is declared in accordance with the Drought Response and Contingency Plan, the City Manager or their designee shall, through appropriate means, call upon the general population to employ prudent restraint in water usage. Public outreach activities shall be identified to inform the general population of the potential for drought conditions to intensify and potential water conservation activities that may be utilized.

(b) Drought Warning: The drought warning stage includes voluntary water conservation actions due to imminent onset of a significant drought event. When a drought warning exists, the following voluntary water restrictions are requested:

- ◆ Voluntary, commercial, manufacturing, institutional and residential conservation measures will be strongly encouraged and recommended including the following:
 - Inspect and repair all faulty and defective parts of faucets and toilets.
 - Use shower for bathing rather than bathtub and limit shower to no more than five minutes.
 - Do not leave faucets running while shaving, rinsing dishes, or brushing teeth.
 - Limit use of clothes washers and dishwashers and when used, operate fully loaded.
 - Limit lawn watering to that necessary for plant survival.
 - Water shrubbery the minimum required, reusing household water when possible.
 - Limit vehicle washing.
 - Do not wash down outside areas such as sidewalks, patios, driveways, etc.
 - Install water flow restrictions in showerheads and other water saving devices.
 - Use disposable and biodegradable dishes where possible.
 - Install water saving devices in toilets, such as early closing flapper valves.
 - Do not fill swimming pools.
- ◆ An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending water shortage.
- ◆ Water supply line pressure should be reduced where feasible to reduce water consumption if it will not affect operation of fixtures, equipment or public safety devices.
- ◆ Conservation in public buildings, institutions, dormitories, and similar facilities is encouraged by reducing pressure at plumbing fixtures and by installation of restricting devices.
- ◆ All residents, business, and institutions are requested to delay new landscape work until the water shortage has ended.
- ◆ Water conservation should be followed during all phases of construction related activities. Where appropriate, water needed should be obtained from supplemental sources and construction related activities, which require water, should be delayed until such time as the water emergency has ended.

All industrial, manufacturing, and commercial enterprises shall reduce consumption to any degree feasible with a goal of a reduction of 10%.

(c) Drought Emergency – Stage 1: As drought conditions continue to worsen, a drought emergency – stage 1 may be declared by the City Manager or their designee in accordance with the Drought Response and Contingency Plan. When a drought emergency – stage 1 exists, the following will be prohibited:

- ◆ Watering lawns, grass, shrubbery, trees, flower, and vegetable gardens except by hand held hose, container, or drip irrigation system, except persons regularly engaged in the sale of plants will be permitted to use water for irrigation of their commercial stock and golf courses may water greens;
- ◆ Filling of newly constructed swimming pools and/or wading pools or refill swimming and/or wading pools, which have been drained;
- ◆ Operating water-cooled air conditioners or other equipment that does not recycle cooling water, except when health and safety are adversely affected;
- ◆ Washing automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment, except persons regularly engaged in the business of washing motor vehicles and any commercial car wash facility will be permitted to use water for such purposes;
- ◆ Washing down outside areas such as streets, driveways, service station aprons, parking lots, office buildings, exteriors or existing or newly constructed homes or apartments, sidewalks, or patios or to use water for similar purposes;
- ◆ Operation of ornamental fountain, pool, or pond or other structure making similar use of water;
- ◆ Serving drinking water in restaurants, cafeterias, or other food establishments, except as requested by the customer;
- ◆ Using public or private fire hydrants for any purpose other than fire suppression or other public emergency or Utility Department need ;
- ◆ Using water for dust control or compaction; and
- ◆ Using water for any unnecessary purpose or intentionally waste water.

All industrial, manufacturing, and commercial enterprises shall reduce consumption to any degree feasible with a goal of a reduction 10-15%.

(d) Drought Emergency – Stage 2: As drought conditions continue to worsen, a drought emergency – stage 2 may be declared by the City Manager or their designee in accordance with the Drought Response and Contingency Plan. When a drought emergency – stage 2 exists, in addition to the restrictions imposed under the drought emergency – stage 1, the following will be prohibited:

- ◆ Watering lawns, grass, shrubbery, trees, or flowers, except persons regularly engaged in the sale of plants shall be permitted to use water for irrigation of their commercial stock and golf courses may water greens;
- ◆ Watering any vegetable garden, except by hand held hose, container, or drip irrigation system;
- ◆ All nonessential use of water for commercial or public use;
- ◆ Using water outside a structure for any use other than an emergency use involving fire or as needed by the water utility to maintain the water system;
- ◆ Operating an evaporative air conditioning unit which recycles water, except as may be required for health and safety; and
- ◆ Other restrictions as may be deemed appropriate and adopted by the City Council.

All industrial, manufacturing, and commercial enterprises shall reduce consumption to any degree feasible with a goal of a reduction of at least 15-25%.

F. Penalty and enforcement.

(a) Any person who violates any provision of this article shall be subject to the following civil penalties:

- (1) For the first offense, violators shall receive a written warning delivered in person or posted by a representative of the City.

September 13, 2011

(2) For the second offense, violators shall be fined fifty dollars (\$50.00), the fine to be imposed on the violator's next water bill, or in the case of violators not on the public water system, in a written notice.

(3) For the third and each subsequent offense, violators shall be fined one hundred dollars (\$100.00) for each offense, the fine to be imposed on the violator's next water bill, or in the case of violators not on the public water system, in a written notice.

(4) Each violation by a person shall be counted as a separate violation by that person, irrespective of the location at which the violation occurs.

(b) Persons who have been assessed a penalty shall have the right to challenge the assessment by providing a written notice to the City Manager or their designee within ten (10) days of the date of the assessment of the penalty. The City Manager or their designee shall determine that the penalty was properly assessed and notify the complaining person in writing of his determination.

(c) The City Manager or their designee may waive the penalty if he determines that the violation occurred due to no fault of the person.

G. Notification of end of water emergency.

The City Manager or their designee, following discussions with the Authority, shall notify the City Council when, in his opinion, the water emergency situation no longer exists. Upon concurrence of the City Council, the water emergency shall be declared to have ended. When this declaration is made, the information shall be conveyed to the general public through the news media.

Leon Towarnicki, Assistant City Manager/Public Works Director, briefed Council on the litter issues. At the August 22, 2011 City Council meeting, Mr. Reid Young spoke during business from floor on the issue of littering throughout the community and the need for a more aggressive and pro-active approach. Due to time limitations at that meeting, Mr. Young was invited to have the item placed on a future Council agenda for additional discussion. Mr. Towarnicki presented information on current practices used for cleanup efforts, education, and enforcement. He noted he would take these litter issues to the Gateway Board for consideration.

Mayor Adkins gave a brief overview of the Neighborhood Tour and Neighborhood meeting held September 12, at Forest Hills Presbyterian Church. Citizen concerns included: right of way grass issues, backyard inspections, verbal FOIA request for spreadsheet on school renovations, and graffiti issues.

Community Development Director Wayne Knox briefed Council on proposed amendments to the Zoning Ordinance to add civil penalties for violations:

At present, the City of Martinsville has a criminal penalty for violating the Zoning Ordinance, but no civil penalty. The need for a civil penalty was brought up for discussion by the Planning Commission due to the numerous sign violations that are occurring in the City. After consultation with the City Attorney, the Commission learned that a civil penalty could be added to the current ordinance. The civil penalty enforcement will require fewer taxpayer dollars by requiring less administrative time (for documentation, photography of each site, and other field work); and postage/supplies. This proposed amendment would be to assess a civil penalty of not more than fifty dollars (\$50.00) for the initial summons and no more than two hundred dollars (\$200.00) for each additional summons. The Planning Commission held a duly advertised public hearing on August 30, 2011. There was one person in attendance at the public hearing. That person did not voice opinion in favor or against the proposed amendment. Planning Commission voted unanimously (5—0) to send this amendment to City Council for their consideration. On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council agreed to set the public hearing for October 11, 2011.

Wayne Knox briefed Council on the need to amend the Land Use Map, Comprehensive Plan, and Zoning Ordinance to reflect urban development area guidelines to designate the former Sara Lee property and the Baldwin Block as urban development areas:

As a way to address some of the negative effects of suburban sprawl and strip development, particularly on traffic and transportation, new legislation was adopted in 2007 as Virginia Section 15.2-2223.1 of the Code of Virginia, requiring certain high-growth localities to amend their comprehensive plans to incorporate one or more Urban Development Areas (UDAs). The City of Martinsville received a grant to 1) Amend the Comprehensive Plan to reflect the addition of Urban Development Areas and 2) Amend the Zoning Ordinance to add the UDA overlay district(s). The UDA(s) must be sized to meet projected residential and commercial growth in the locality for the ensuing period of at least 10 years, but not more than 20 years. In addition, federal,

September 13, 2011

state and local transportation, utility, economic development, and other public funding should, to the extent possible, be directed to the UDA(s). UDAs should be established in areas that are appropriate for higher density development due to (a) their proximity to transportation facilities, (b) the availability of public water and sewer infrastructure, and (c) their proximity to existing developed areas.

The Cox Company was retained by VDOT to be the City's Consultant for the UDA study and work. Working with the City, stakeholders, and property owners, the Cox Company identified the Baldwin Block area and the Sara Lee Property as two Urban Development Areas in the City of Martinsville. This designation will encourage mixed-use development and denser residential that is allowed in this district. A duly advertised Public Hearing was held Tuesday, August 30, 2011 during the Planning Commission meeting. One person was present and she spoke about her concerns that whatever was built on the Baldwin Block would reflect the heritage of the community and to keep in mind the national marker already installed that comments on the history. After the hearing, the Planning Commission voted unanimously (5-0) to send the recommendation to City Council to designate the former Sara Lee property and the Baldwin Block as urban development areas and to amend the Land Use Map, Comprehensive Plan and Zoning Ordinance to reflect urban development area guidelines.

When researching the possibility of locations for the UDAs, staff talked to stakeholders, developers, and property owners to learn where the types of development recommended in UDAs would best fit. The research led to the Baldwin Block and the Sara Lee properties, where mixed use work was hoped to be done in the near future (less than 10 years away). Therefore, staff recommends that City Council consider setting a public hearing for September 27, 2011 to designate the former Sara Lee property and the Baldwin Block as urban development areas and to amend the Land Use Map, Comprehensive Plan and Zoning Ordinance to reflect urban development area guidelines.

On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council agreed to set the requested public hearing for October 11, 2011.

City Attorney Eric Monday gave an update to Council regarding current FOIA changes.

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

BUDGET ADDITIONS FOR 9/13/11				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY11</u>				
<u>GENERAL FUND</u>				
01101917	442810	Categorical Other State - Highway Projects		6,122
01413151	503140	Thorofare Construction - Prof. Service Engineering state reimbursements-Liberty St.	6,122	
01100904	442401	Local Confiscated Assets - Police		515
01311085	506118	Police Dept - Local Confiscated Assets	515	
		Local Confiscated Assets		
01102926	443157	Categorical Federal - Safe Routes to Schools		14,827
01413146	503140	Street Marking/Signs - Prof Serv Eng & Arch Safe Routes to Schools Project	14,827	
01100904	442402	Local Confiscated Assets - Comm. Attorney		515
01221082	506118	Comm. Atty - Local Confiscated Assets	515	
		Local Confiscated Assets		
Total General Fund:			21,979	21,979
<u>CAPITAL RESERVE FUND</u>				
16101918	416507	State Grant - VDEM Homeland Security Program		10,056
16572362	508075	Tools/Equipment - Police Dept SHSP Grant	10,056	
Total Capital Reserve Fund:			10,056	10,056

BUDGET ADDITIONS FOR 09/13/11				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY12</u>				
<u>GENERAL FUND</u>				
01100908	440402	Donations/Hooker Field		1,555
01725422	505508	Mustangs - Meals for Team	234	
01720420	506014	Hooker Field - Materials & Supplies	1,322	
		50/50 & donations		
1100909	490134	Recovered Costs - Parks & Recreation		214
1711210	506091	Parks & Recreation - Special Events/Cruise In	214	
		Costs recovered from various sponsors		
Total General Fund:			1,769	1,769

September 13, 2011

Council comments: Turner-extended sympathy to Chester Lane family; Reynolds-extended sympathy to Ron Matthews' family; Stroud-emphasized that all capital needs of the city will start being addressed.

City Manager Clarence Monday reported that 12 applications have been received for Finance Director position and interviews are scheduled. City Attorney Eric Monday reported he attended the VA Local Government Attorneys Association meeting and was elected to the Board of Directors.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Teague, seconded by Stroud, with the following 5-0 recorded vote: Adkins, aye; Teague, aye; Reynolds, aye; Stroud, aye; and Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matter: (A) Appointments to boards and commissions 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 Kimble Reynolds, seconded by Mark Stroud, with the following recorded 5-0 vote: Adkins, aye; Reynolds, aye; Teague, aye; Stroud, aye; and Turner, aye, Council returned to Open Session. The following actions were taken on appointments:

Blue Ridge Regional Library Board—motion by Reynolds, seconded by Teague, with 5-0 vote, to appoint William L. Kirby, 1115 Cherokee Trail, to an unexpired term ending 6/30/15.

Human Relations Advisory Committee—motion by Reynolds, seconded by Teague, with a 5-0 vote, to appoint Veraine Randolph, 1414 S. Askin St., to the Human Relations Advisory Committee; motion by Adkins, seconded by Teague, with a 5-0 vote, to appoint William Randolph, 1414 S. Askin St., to the Human Relations Advisory Committee; motion by Turner, seconded by Teague, with a 5-0 vote, to appoint Alicia Solomon, 1014 Oakwood Ct., to the Human Relations Advisory Committee; motion by Adkins, seconded by Stroud, with a 5-0 vote, to appoint Sidney Lee, 127 Sellers St. to the Human Relations Advisory Committee.

There being no further business, the meeting adjourned at 10:12 PM.

Clarence Monday
Clerk of Council

Kim Adkins
Mayor