

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA  
Council Chambers – Municipal Building  
**7:00 pm Closed Session**                      **7:30 pm Regular Session**  
**Tuesday, January 9, 2018**

**7:00 pm --Closed Session**

Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:

- A. Appointments to boards and commissions as authorized by Subsection 1.
- B. Discussion of the award of a public contract involving the expenditure of public funds, including interview of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body as authorized by Subsection 29.
- C. 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.

**7:30—Regular Session**

Pledge to the American Flag and Invocation by Council Member Bowles

1. Consider approval of minutes of the December 12, 2017 Council Meeting. (2 mins)
2. Conduct a public hearing for consideration of citizens interested in an appointment to one unexpired term ending June 30, 2018 on the Martinsville City School Board. (10 mins)
3. Hear an update on the Dick & Willie Trail extension from Spruce Street to Smith River Sports Complex. (10 mins)
4. Hear an update on FY18 Telecommunications operations. (10 mins)
5. 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. 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.**
6. Comments by members of City Council. (5 minutes)
7. Comments by City Manager. (5 minutes)



## **City Council Agenda Summary**

**Meeting Date:** January 9, 2018

**Item No:** 1.

**Department:** Clerk of Council

**Issue:** Consider approval of minutes from the December 12, 2017  
Council Meeting

**Summary:** None

**Attachments:** December 12, 2017 Council Meeting minutes

**Recommendations:** Motion to approve minutes as presented.

December 12, 2017

The regular meeting of the Council of the City of Martinsville, Virginia was held on December 12, 2017 in Council Chambers, Municipal Building, at 7:30 PM with Mayor Gene Teague presiding. Council Members present included Gene Teague, Chad Martin, Jennifer Bowles, Sharon Hodge and Kathy Lawson. Staff present included City Manager Leon Towarnicki, Assistant City Manager Wayne Knox, City Attorney Eric Monday, Clerk of Council Karen Roberts, Finance Director Linda Conover, and Officer Chad Rhodes.

Mayor Teague called the meeting to order and advised Council would go into Closed Session beginning at 7:00 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) and upon a motion by Council Member Lawson, seconded by Council Member Hodge, with the following 5-0 recorded vote: Council Member Lawson, aye; Council Member Hodge, aye; Council Member Bowles, aye; Mayor Teague, aye and Vice Mayor Martin, aye, Council convened in Closed Session to discuss the following matters: (A) Appointments to boards and commissions as authorized by Subsection 1, 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. Per Mayor Teague, Council will recess Closed Session and will reconvene after the public session is complete.

Following the Pledge to the American Flag and invocation by Vice Mayor Martin, Mayor Teague welcomed everyone to the meeting.

Hear a report from Robinson Farmer Cox Associates on the City's FY17 audit –A RFC Associate representative stated that the FY17 was a clean audit for the City and received the highest level of assurance offered in his profession. No deficiencies and no instances of noncompliance were reported. He commended City management for their cooperation. Mayor Teague shared that the audit results would be available on the City website for review. Council Member Hodge said she appreciates the auditors taking the time to answer their questions.

Consider approval of minutes of the November 28, 2017 Council Meeting – Council Member Bowles made a motion to approve minutes as presented; Council Member Lawson seconded the motion with all Council Members voting in favor.

Conduct a public hearing on the request from Refuge Temple Holiness Church for rezoning of 205 Clearview Drive – Assistant City Manager Wayne Knox summarized the Planning Commission decisions and recommendations. The pastor confirmed that the new LED sign would not obstruct the view of traffic. Knox said the church applied for a variance but the BZA denied the request stating they would need to be under a different zoning classification. Mayor Teague opened the public hearing. Kathy Lawson spoke as a resident and commended the church for what they have done for the community and for the youth. Lawson said she would love to see the zoning change approved since it would be an asset to

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the neighborhood. No one else approached the podium. Mayor Teague closed the public hearing. Council asked for confirmation regarding potential zoning issues and the correct zoning classification to be considered. Council recessed this topic providing Knox the opportunity to get them the correct zoning classification for the motion.

Hear information regarding temporary appointment to the position of Commonwealth's Attorney and a special election – City Attorney Monday explained that Clay Gravely had resigned the position due to health concerns and his assistant Andy Hall would fill the position of Commonwealth's Attorney until the special election in 2018. Monday clarified the code related to the temporary appointment. Council Member Lawson made a motion to direct City Attorney Monday to file petitions for the temporary appointment; Vice Mayor Martin seconded the motion with all Council Members voting in favor.

Consider setting a public hearing for Council's January 9, 2018 meeting for the purpose of receiving names of citizens interested in an appointment to one unexpired term on the Martinsville City School Board, ending June 30, 2018 - City Attorney Monday explained that since Andy Hall was appointed to the Commonwealth's Attorney vacancy, he would be required to vacate his seat on the School Board. Anyone wishing to be considered for the School Board does not need to be present for the next Council meeting but their name will need to be mentioned at the January 9, 2018 Council meeting to be considered for the vacancy. Council Member Lawson made a motion to set the public hearing for January 9, 2018; Council Member Bowles seconded the motion with all Council Members voting in favor.

Council returned to Item 2 regarding the rezoning request for 205 Clearview Drive. Knox explained that by rezoning to CC, the church would be allowed to obtain a sign up to 70 square feet. By rezoning to CN Neighborhood Commercial, the church would be required to purchase a smaller sign. Council Member Lawson made a motion to grant the zoning change to CC and amend the land use map accordingly; Council Member Bowles seconded the motion with Council Members voting in favor 5-0.

Consider approval of the Subdivision Ordinance on second reading – Assistant City Manager Knox said Community Development had received no additional comments or objections since the previous Council meeting. Residents and Council previously had questions regarding subdivision variances so Knox presented Council with an average fee schedule from other jurisdictions and stated that most of the cost of a variance is the cost of advertisement. City Manager Towarnicki confirmed that the fee schedule is not part of the ordinance. Council Member Lawson made a motion to approve the Subdivision Ordinance on second reading; Council Member Bowles seconded the motion with the following roll call vote: Vice Mayor Martin, aye; Council Member Bowles, aye; Council Member Hodge, aye; Council Member Lawson, aye; and Mayor Teague, aye. Council Member Hodge made a motion to

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adopt the proposed fee schedule with the ability to waive the variance in cases of hardship;

Council Member Lawson seconded the motion with all Council Members voting in favor.

CURRENT OWNER		RECORD OF OWNERSHIP		DEED BOOK		SALE DATE		SALE PRICE		VC	
REFUGUE TEMPLE HOLINESS CHUR		REFUGUE TEMPLE HOLINESS CHURCH		LR170000575		06-27-2017		0		1	
205 CLEARVIEW DR		REFUGUE TEMPLE HOLINESS CHURCH		LR05/00865		11-04-2005		U		0	
MARTINSVILLE VA 24112-170		CHURCH OF GOD TRUSTEES		GMD05/00016		09-21-2005		Q		2	
		CHURCH OF GOD TRUSTEES		000/000		01-01-1900		U		0	
ASSESSMENT EFFECTIVE 7/1/2017		LEGAL DESCRIPTION		PREVIOUS ASSESSMENTS EFFECTIVE JULY 1st OF ASSESSMENT YEAR							
Description	Code	Assessed	Assessed	Year	Code	Assessed	Year	Code	Assessed	Year	Code
Building	800	472,900	472,900	2017	B	472,900	2015	B	499,700	2013	B
Land	800	102,800	102,800		L	102,800		L	102,800		L
Outldg	800	0	0								
Total		575,700	575,700	Total		575,700	Total		602,500	Total	
SUPPLEMENTAL DATA		BUILDING SUB-AREA SUMMARY SECTION		COST/MARKET VALUATION							
# Of Parcels	1	Year Built	1973	SUB	Description	LIVING	GROSS	EFF AREA	Unit C	Undeprec Val	Base Rate
Plat Ref	0500016	Classification	26:Religious Chur	1ST	1st Floor	7,656	7,656	7,656	41.23	315,657	51.03
Land Acres	2.359	Zoning	R-N								315,657
Land SF	102,758	Prop Use	22:Church								0
Assoc. Parcel		District	CHUR:Churches								1973
											1977
											A
CONSTRUCTION DETAIL											
Element	Cd	Description									
Style	22	Church									0
Model	94	Commercial									0
Grade	C	AVERAGE									0
Stories	1.00										0
Foundation Typ	04	C/B									0
Exterior Wall 1	11	BRICK									0
Roof Cover	03	COMPOSITE SHINGLE									0
Interior Wall 1	09	DRY WALL									0
Interior Floor 1	01	CAR/VIN									0
Exterior Cond	04	Vary Good									0
Central Heat	01	Yes									0
Central AC	00	No									0
Bedrooms	0										0
Total Rooms	0										0
Full Baths	0										0
Half Baths	0										0
Chimneys	0										0
Fireplaces	0										0
Sketch Factor											0
Basement Type	10	FULL									0
Living Area	7656										0
PROPERTY FACTORS											
PUB WATE	UG UTILITI	TOPO	SIDEWALK								
Y	N	D	Y								
PUB SEWE	CURB & GU	SOIL									
Y	Y	C									
SEPTIC	VIEW	LOCATION									
N	Y	G									

1ST  
(7,656 sf)



November 16, 2017

Mayor Gene Teague  
Members of City Council  
City of Martinsville  
55 West Church Street  
Martinsville, VA 24114

Re: Rezoning of 205 Clearview Drive

Dear Mayor and City Council Members:

The Planning Commission, at its meeting on Thursday, November 16, 2017, conducted a duly advertised public hearing to consider the request for a rezoning of 205 Clearview Drive, from R-N Neighborhood Residential to C-N Neighborhood Commercial, by The Refuge Temple Holiness Church.

At the meeting it was noted that the purpose of the request for rezoning is because the applicant wishes to install a LED sign on its property that is larger than what is permitted in the R-N District. According to the Comprehensive Plan, Clearview Drive in designated both commercial and residential. No one from the public spoke at the public hearing.

Following evidence heard at the public hearing, the Planning Commission voted unanimously (6-0) to send the request to City Council with a recommendation to rezone the parcel and amend the Official Zoning Map.

Regards,

Joseph Martin  
Chair, Planning Commission

/wk

COMMUNITY DEVELOPMENT		Zoning Certification	\$15.00
<b>ZONING AND LAND SUBDIVISION ORDINANCE FEE SCHEDULE</b>			
Rezoning	\$200.00		
Special / Conditional Use	\$200.00		
Street Abandonment (Set by Virginia State Code)	\$100.00		
Variance / BZA	\$200.00		
Variance / Subdivision	\$200.00		
Site Plan Review	\$150.00		
Subdivision Plat Review	No Fee (where one (1) lot is created)		
Preliminary approval – containing five (5) lots or less	\$10.00 per plat sheet		
Large Subdivision Review (5 + lots)	\$25.00 per plat sheet		
Final Approval	\$10.00 per plat + \$1.00 per lot		
Subdivision Ordinance	\$30.00		
Zoning Ordinance	\$50.00		

Hear an update on status of several issues along Aaron Street - Assistant City Manager Knox explained that the police department followed up immediately with the residents on the cars parked on Roanoke Street. Follow up will be made with the owner of the property to fence or shield the property according to ordinance. Phase 1 is complete on the Site 1 location, phase 2 is in the works. The present owner is willing to deed the property to the City because of the cost of clean-up. Site 2 is waiting on written permission however, Public Works has already knocked the wall down to prevent injuries. Electric and water has been reconnected and a notice has been sent to the owners that the property will need to be fenced. City Attorney Monday explained that if permission is not received soon then the owners would be required to handle that at their cost. Knox explained that the residents are feeling better because they are seeing progress.

Consider approval of Consent Agenda - Council Member Bowles made a motion to approve the consent agenda as presented; Council Member Lawson seconded the motion with all Council Members voting in favor.

BUDGET ADDITIONS FOR 12/12/17				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b>FY18</b>				
<b>General Fund:</b>				
01100909	490801	Recovered Costs - Senior Services		1,103
01714212	501300	Senior Services - Part-time Wages	874	
01714212	502100	Senior Services - Social Security	54	
01714212	502110	Senior Services - Medicare	13	
01714212	506049	Senior Services - Vehicle Fuels	162	
		Transportation Grant - July & August		
01100908	480420	Miscellaneous Revenue - Donations/Sr. Services		175
01714212	506016	Senior Services - Program Supplies	175	
		Donation for golf tournament & holiday tea		
01100908	482901	Miscellaneous Revenue		2,400
01101918	443110	State Grant - Library of Virginia		2,400
01216076	506104	Circuit Court Clerk - Non-capital Equipment	4,800	
		For purchase of archival shelving		
<b>Total General Fund:</b>			<b>6,078</b>	<b>6,078</b>
<b>Capital Reserve Fund:</b>				
16100909	490104	Advance/Recovered Costs		16,000
16575365	508110	Vehicles - Street Maintenance	16,000	
		Insurance payment for damaged vehicle		
16101917	416520	State - Categorical - Jail Construction Reimbursement		24,793
16577367	508085	Physical Plant Exp - Sheriff-Jail	24,793	
		Partial reimbursement for installation of emergency power for jail		
<b>Total Capital Reserve Fund:</b>			<b>40,793</b>	<b>40,793</b>

Business from the Floor – Patrick Wright, Spruce Village hopes everyone has a Merry Christmas. Ural Harris, 217 Stuart Street has spoken to residents and requested that Council stop focusing on what the VML is doing, Council needs to do what is best for Martinsville. Council needs to explore ways to get out of the AMP Ohio Contract. Harris requested that Council add the City reversion study back to the website. Residents want to know what questions were asked of Dr. Boaz, his answers and when he will appear before Council. Harris said the City should answer FOIA requests in a timely manner, stating that he has not heard back from a request submitted November 21, 2017.

Comments by members of City Council – Council Member Lawson thanked Piedmont Arts for their sponsorship and said this year’s show was by far their best. She attended the New Heights Foundation dinner and expressed sincere appreciation to Council Member Bowles for the amazing outreach they have done in the community. Lawson extended appreciation to Clay Gravely and prayers for his health. Council Member Bowles offered prayers to Clay Gravely and thanked Council Member Lawson for her attendance at the New Heights fundraiser. Bowles congratulated the Martinsville Middle School Robotics team and thanked the Martinsville Rotary for sponsoring area youth. Bowles wished residents a Merry Christmas and encouraged them to shop local. Vice Mayor Martin offered prayers to Clay Gravely and to Andy Hall for his new responsibilities. The winter warming shelter is open at the Salvation Army and in need of volunteers. Martin shared that Richard’s Dinner is a great event to attend and volunteer for. Mayor Teague also offered prayers for Gravely and his family. Teague thanked the power crews for their fast response getting the electricity back on during the snow last week. Teague explained that a resolution to communicate power outages and share expected time frames to have outages restored is being discussed. Teague will be in

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Charlottesville for a VML executive committee meeting to work for the community and advocacy of local government needs.

Comments by City Manager – City Manager Towarnicki said the City continues to work on the emergency call-in system. They are working to get a recording added to the system, which would include a status update. Towarnicki and Vice Mayor Martin attended a meeting at the Transit office and obtained good information about a Danville-to-Martinsville transit opportunity. An assessment study will determine the need. Towarnicki attended a Virginia First Cities meeting and feels encouraged knowing that some of the topics discussed by other communities are already being implemented in Martinsville. Congratulations to the Carlisle Soccer team. The City Municipal building will be closed a half day on Friday as well as Monday and Tuesday for Christmas. The Municipal building will also be closed New Year's day and on January 2. The next Council meeting will be January 9, 2018

Council Members returned to Closed Session.

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 the Session. A motion was made by Council Member Lawson, seconded by Council Member Hodge, with the following 5-0 recorded vote in favor to return to Open Session: Council Member Bowles, aye; Mayor Teague, aye; Vice Mayor Martin, aye; Council Member Hodge, aye; and Council Member Lawson, aye.

Council Member Bowles made a motion to reappoint Felecia Watkins to the Comprehensive Services Act Community Policy and Management Team for an expiring 2-year term ending December 31, 2019. Council Member Hodge seconded the motion with all Council Members voting in favor.

Council Member Lawson made a motion to reappoint Doug Sharpe to the Transportation Safety Commission for an expiring 4-year term ending December 31, 2021. Vice Mayor Martin seconded the motion with all Council Members voting in favor.

Council Member Hodge made a motion to appoint Diane Hubener to the Blue Ridge Regional Library Governing Board for an unexpired 4-year term ending June 30, 2021. Vice Mayor Martin seconded the motion with all Council Members voting in favor.

There being no further business, Council Member Lawson made a motion to adjourn the meeting; the motion was seconded by Vice Mayor Martin with all Council Members voting in favor. The meeting adjourned at 10:00pm.

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Karen Roberts  
Clerk of Council

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Gene Teague  
Mayor

**Date:** January 9, 2018

**Item No:** 2.

**Department:** City Council

**Issue:** Conduct a public hearing for consideration of citizens interested in an appointment to one unexpired term ending June 30, 2018 on the Martinsville City School Board.

**Summary:** Pursuant to Code of Virginia section 22.1-29.1, a public hearing is necessary to introduce and consider names of persons interested in appointment to a vacancy on the Martinsville School Board. This state code section also states that no nominee or applicant whose name has not been considered at the public hearing shall be appointed as a school board member. Further, the actual appointment must be made at least seven days after the hearing

After receiving names of interested candidates at the January 9 meeting, it is suggested that interviews be scheduled before and/or after Council's January 23, 2018 meeting, with the new appointee being announced upon conclusion of the interview process.

**Attachments:** Current Martinsville School Board members

**Recommended Action:** Conduct public hearing.



## City Council Agenda Summary

**Date:** January 9, 2018

**Item No:** 3.

**Department:** City Manager

**Issue:** Hear an update on the Dick & Willie Trail extension from Spruce Street to Smith River Sports Complex.

**Summary:** Information will be provided at the meeting regarding plans to extend the Dick & Willie Trail from Spruce Street to Smith River Sports Complex.

**Attachments:** None. Additional information will be presented at the meeting.

**Recommendations:** Presented for information purposes. No Council action needed.



## **City Council Agenda Summary**

**Date:** January 9, 2018

**Item No:** 4.

**Department:** Telecommunications

**Issue:** Hear an update on FY18 Telecommunications operations.

**Summary:** Telecommunications Director Mike Scaffidi will present an update at the January 9 Council meeting regarding the FY18 Telecommunications budget and the status of projects.

**Attachments:** None. Additional information will be presented at the meeting.

**Recommendations:** Presented for information purposes. No Council action needed.