

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:00 pm Closed Session **7:30 pm Regular Session**
Tuesday, April 10, 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. 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 Vice Mayor Martin

1. Read and present a proclamation recognizing April 18, 2018 as National Lineman Appreciation Day (10 mins)
2. Consider a request by the Virginia Municipal League to submit nominations for membership on the VML 2018 Policy Committees (10 mins)
3. Hear a presentation from the Police Department regarding their 2017 Annual Report (20 mins)
4. Consider information regarding possible changes to the City's Zoning Ordinance related to the issue and use of Open Space (20 mins)
5. Hear a presentation of the proposed FY19 City budget (30 mins)
6. 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.**
7. Comments by members of City Council. (5 minutes)
8. Comments by City Manager. (5 minutes)

Date: April 10, 2018

Item No: 1.

Department: City Council

Issue: Read and present a proclamation recognizing April 18, 2018 as National Lineman Appreciation Day.

Summary: On April 10, 2013, the United State Senate considered and agreed to Senate Resolution 95 which designated April 18, 2013 as National Lineman Appreciation Day, recognizing the profession of linemen and the contribution made by electric line workers.

The City of Martinsville owns, operates, and maintains its electric system consisting of both, electric generation and distribution. The City's electric linemen are responsible for maintaining the distribution system and are often called upon to work around the clock under dangerous conditions to keep the system operating. The City's electric linemen are Daniel Morrison, Jimmy Rigney, Terry Martin, Brian Collins, Chase Cooper, Alex Lawless, Richard Penn, Brandon Sink, Austin Shumate, Curt Compton, Jimmy Blankenship, Tim Agee, Ryan Emberson, Paul McCrickard, and Blaine Meeks

Attachments: Proclamation

Recommendations: No action by Council needed - the Mayor will read the Proclamation.



PROCLAMATION

NATIONAL LINEMAN APPRECIATION DAY APRIL 18, 2018

WHEREAS, on April 10, 2013, the United States Senate recognized linemen, the profession of linemen, and the contributions of the brave men and women of this profession who protect public safety by expressing support for the designation April 18, 2013 through Senate Resolution 95, as National Lineman Appreciation Day; and

WHEREAS, linemen are often first responders during storms, emergencies, and other catastrophic events, working to make the scene safe for other public safety heroes; and

WHEREAS, linemen must often work under dangerous conditions with thousands of volts of electricity in all weather conditions high atop power lines 24 hours a day, 365 days a year, to construct, repair, and maintain infrastructure to keep electricity flowing; and

WHEREAS, linemen put their lives on the line every day with little recognition from the community regarding the danger of their work; and

WHEREAS, the City of Martinsville's electric linemen are Daniel Morrison, Jimmy Rigney, Terry Martin, Brian Collins, Chase Cooper, Alex Lawless, Richard Penn, Brandon Sink, Austin Shumate, Curt Compton, Jimmy Blankenship, Tim Agee, Ryan Emberson, Paul McCrickard, and Blaine Meeks;

NOW THEREFORE, I, Gene Teague, Mayor of the City of Martinsville, along with Martinsville City Council members, do hereby proclaim April 18, 2018, as National Lineman Appreciation Day and encourage residents to recognize and appreciate the work of the linemen of the City's Electric Department in providing and maintaining electric service for the City of Martinsville.

Gene Teague, Mayor

Date: April 10, 2018

Item No: 2.

Department: City Manager

Issue: Consider a request by the Virginia Municipal League to submit nominations for membership on the VML 2018 Policy Committees.

Summary: Annually, City Council submits nominations for membership to the 6 VML policy committees. The committees typically meet at least once during the summer (and other times as may be needed) for the purpose of developing broad policy statements in addition to submitting specific legislative recommendations for consideration by the Legislative Committee.

The 2017 Policy Committee nominations were as follows:

Community & Economic Development – Sharon Brooks Hodge
Environmental Quality- Eric Monday
Finance – Gene Teague, Leon Towarnicki
General Laws – Chad Martin
Human Development & Education –Jennifer Bowles
Transportation- Kathy Lawson

Attachments: Information from VML

Recommendations: Motion to nominate members to VML for the 2018 Policy Committees.

VML's Legislative and Policy Committee Process

Each year the Virginia Municipal League develops two separate documents -- a legislative program and a compilation of policy statements -- through a process that involves the Legislative Committee and six separate policy committees. The Legislative Committee is responsible for developing the legislative program, but it may also rely on input from the policy committees to do so. The policy committees develop broad policy statements, in addition to submitting specific legislative recommendations for consideration by the Legislative Committee.

Legislative Committee

What is the role of the Legislative Committee?

The Legislative Committee is responsible for considering and developing positions on existing or proposed state and federal legislation or regulations, and urging the enactment or amendment of, or opposition to, such legislation or regulations.

How is the Legislative Committee appointed?

VML's Constitution spells out the composition of the Legislative Committee. The committee consists of 24 individuals holding local elective or appointed positions, all appointed by VML's President. Of the 24 members, 12 must be representatives of cities and urban counties with populations in excess of 35,000, six must be representatives of cities and urban counties with populations of 35,000 or less, and six must represent towns.

What is included in VML's Legislative Program?

The legislative program adopted by the Legislative Committee reflects specific legislative objectives that VML hopes to achieve during the upcoming legislative session. It is subject to the approval of VML's membership at the annual conference.

What is the relationship between the legislative committee and VML's policy committees?

The Legislative Committee meets prior to the policy committees to identify issues that it would like the committees to consider for potential inclusion in the league's legislative program. It meets again after the policy committees have met to consider their recommendations.

Policy Committees

What is the role of the policy committees?

Policy committees receive briefings on select statewide issues, consider possible changes to the policy statement, and develop legislative recommendations for the Legislative Committee to consider.

How are policy committees appointed?

Policy committee membership consists of elected and appointed officials of full-member local governments. Nomination information is sent in the spring to each locality, and each local government determines which of its officials will be nominated for each of the six policy committees. Each local government may nominate up to two people per policy committee, at least one of whom must be an elected official.

What are the benefits of serving on a policy committee?

VML policy committees offer members an opportunity to learn about current and emerging statewide issues that affect local governments, to develop through policy statements the broad philosophical framework that guides the league, and to network with local officials with similar policy interests.

How many policy committees are there?

There are six policy committees: community and economic development, environmental quality, finance, general laws, human development and education, and transportation.

What issues does each policy committee cover?

- **Community & Economic Development:** Authority, administration, and funding of local governments to manage a full range of community and economic development issues, including business development and retention, international competitiveness, infrastructure development and investment, planning, land use and zoning, blight, enterprise zones, housing, workforce development and historic preservation.
- **Environmental Quality:** Natural resources and the authority of local governments to manage the environment, including water resources and quality, solid and hazardous waste management, air quality and the Chesapeake Bay.
- **Finance:** Powers, organization and administration of local government financing, including taxing authority, debt financing, state aid to local governments and federal policies affecting local finance issues.
- **General Laws:** Powers, duties, responsibilities, organization and administration of local governments, including state-local and inter-local relations, conflicts-of-interest, freedom-of-information, information management and personnel, telecommunications, utilities and law enforcement, jails and courts issues.
- **Human Development and Education:** Management and funding of social services, prek-12 education, health, behavioral health, juvenile justice, recreation, rehabilitation and aging.
- **Transportation:** Development, maintenance, and funding of a comprehensive land, sea and air transportation system for the Commonwealth, and federal, state and local roles in the provision and regulation of transportation.

What is a policy statement?

Each policy committee develops a policy statement that covers issues in its respective area. The policy statement expresses the agreement of VML's membership on matters of interest to local governments. The statement generally addresses broad, long-term, philosophical positions. The VML membership approves the policy statements at its annual meeting.

How do policy statements differ from VML's legislative program?

Policy statements are general in nature. They reflect local governments' positions on a range of issues. The Legislative Program is more specific and immediate. It is limited to legislative positions that VML expects to lobby on during the upcoming legislative session.

Date: April 10, 2018

Item No: 3.

Department: Police

Issue: Hear a presentation from the Police Department regarding their 2017 Annual Report.

Summary: The Police Department has compiled information regarding departmental activities for calendar year 2017 into an annual report format and will present the information at the April 10 Council meeting.

Attachments: None. Information will be presented at the meeting.

Recommendations: This item is being presented for Council and public information purposes. No Council action is required.

Meeting Date: April 10, 2018

Item No: 4.

Department: Community Development

Issue: Consider information regarding possible changes to the City's Zoning Ordinance related to the issue and use of Open Space.

Summary: Following up on recent discussions related to use of Open Space as designated by the City's Zoning Ordinance, and Council's desire to hear staff recommendations regarding possible changes that would ensure some form of review process prior to the start of any such "open space" project, recommendations have been developed for Council's consideration.

Attachments: Staff recommendations related to this issue.

Recommendations: Presented for information purposes and Council discussion. After Council review, it is recommended that the information be forwarded to the Planning Commission for their review and recommendation.

Danville, VA. – Zoning Ordinance, Chapter 41, Article 15,B

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Open Space Defined

OPEN SPACE – that area intended to provide light and air, and is designed for either scenic or recreational purposes. Open space shall, in general, be available for entry and use by the residents or occupants of the development, but may include a limited proportion of space so located and treated as to enhance the amenity of the development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness. Open space shall not include driveways, parking lots, or other vehicular surfaces, any area occupied by a building, or areas so located or so small as to have no substantial value for the purpose stated in this definition.

OPEN SPACE, COMMON - all open space that is designed for use and enjoyment by all residents or occupants of the development or by the residents of a designated portion of the development.

OPEN SPACE, DEDICATED – all open space which is dedicated or conveyed to the City or an appropriate public agency, board, or body for public use as open space.

OPEN SPACE, LANDSCAPED – that open space within the boundaries of a given lot that is designed to enhance privacy and the amenity of the development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness. Landscaped open space may be either Common or Dedicated open space as defined herein.

City of Martinsville – Zoning Ordinance, Section II, p. 22 and 23

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Open Space Defined

OPEN SPACE - areas intended to provide light, air, recreational, or scenic beauty. *Open space shall, in general, be available for entry and use by the owners, residents or occupants of the property or development, but may include a limited proportion of space so located and treated as*

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to enhance the amenity of the *property* or development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearances of openness. Open space may include, but is not limited to lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, undisturbed natural areas, agriculture, wooded areas, water bodies and those areas where landscaping and screening are required by the provisions of this ordinance. Open space shall not include driveways, parking lots, or other vehicular surfaces, any area occupied by a building, nor areas so located or so small as to have no substantial value for the purposes stated in this definition.

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~~OPEN SPACE, DEDICATED PUBLIC~~– any open space which is dedicated or conveyed to (a) the City or to (b) an appropriate public agency, board, or body by any other individual or entity for public use by the general public as open space. In all instances involving ownership under (b), open space which does not abut any contiguous parcels shall remain a use by right; for any open space abutting any contiguous parcel, however, a description with supporting documentation of any such open space shall be submitted Zoning Administrator for review. The Zoning Administrator shall enjoy discretionary authority to, after due consideration of the Comprehensive Plan and the effect of such open space on adjoining parcels and the neighborhood in general, either allow the use by right or alternatively require an application for a special use permit.

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Comment [EM1]: Alternatively, this could be something like “within 100 (or whatever) feet of any adjoining parcel”

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Comment [EM2]: Note: “Community Gardens” are separately defined and allowed elsewhere in the Zoning Ordinance, so this entire discussion is inapplicable to the consideration of their installation.

OPEN SPACE, COMMON – within a residential subdivision, open space shall be composed of only those areas not contained in individually owned lots. Common open space shall be designed and set aside for use and enjoyment by all residents or occupants of the development or by the residents or occupants of a designated portion of the development. Common open space shall represent those areas not to be dedicated as public lands, but are to remain in the ownership of a homeowners association or of a condominium.

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NEW STATEMENT *

City Council has the option to make any extension of walking or biking trails and Community Gardens permitted by a Special use permit, if the project is not undertaken by the City. If the project is initiated by a private entity or a third party, it shall undergo the Special Permitting process.

Date: April 10, 2018

Item No: 5.

Department: City Manager

Issue: Hear a presentation of the proposed FY19 City budget.

Summary: The proposed FY19 budget for the City will be presented. Budget work sessions will be held on Monday, April 16 with City departments, constitutionals, and capital ; Tuesday, April 17 with Schools, outside agencies, and resume capital if not finished on Monday; and Monday, April 23 to continue discussion/questions as may be needed and to wrap up. Additional sessions may be scheduled as needed. Sessions will begin at 6 pm and will last until approximately 9 pm.

The proposed schedule calls for the budget public hearing on Tuesday, April 24 along with adoption of the budget ordinance on first reading, followed by approval/adoption of the budget ordinance on second reading at Council's May 8th meeting.

Attachments: None. The FY19 budget document will be presented at the April 10 meeting.

Recommendations: Set the FY19 budget public hearing for April 24, 2018.