

August 14, 2018 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on August 14, 2018 in Council Chambers, Municipal Building, at 7:30 PM with Mayor Gene Teague presiding. Council Members present included Gene Teague, Jennifer Bowles, Chad Martin and Kathy Lawson. Staff present included City Manager Leon Towarnicki, City Attorney Eric Monday, Assistant City Manager Wayne Knox, Clerk of Council Karen Roberts, Finance Director Linda Conover, Police Chief Eddie Cassady, and Superintendent of Electrical Operations Daniel Morrison.

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 Bowles, with the following 4-0 recorded vote: Council Member Lawson, 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, (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, and (C) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by Subsection 3, and (D) Discussion of the award of a public contract involving the expenditure of public funds, including interviews 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.

Council Member Bowles made a motion to appoint Brenda Ephriam to the Piedmont Regional Community Services Board for an unexpired 3-year term ending June 30, 2020; Vice Mayor Martin seconded the motion with all council voting in favor.

Council Member Lawson made a motion to appoint Johnathan Phillips to the Patrick Henry Community College Board for an unexpired 4-year term ending June 30, 2022; Council Member Bowles seconded the motion with all council voting in favor.

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

Consider approval of minutes from the June 25, 2018 Neighborhood Meeting, June 26, 2018 Council Meeting, July 10, 2018 Council Meeting, July 24, 2018 Council Meeting, and July 31, 2018 Special Session – Council Member Bowles made a motion to approve the minutes as presented; Council Member Lawson seconded the motion with all members voting in favor.

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Conduct a public hearing for the purpose of receiving names of citizens interested in an appointment to a partial term on City Council ending December 31, 2020 – Mayor Teague read the names from the applications received. No one else approached the podium to express interest. Mayor Teague explained the process to review the applications and explained that applicants would be contacted to schedule interviews within the next week.

Hear a brief update from Martinsville City School Superintendent Dr. Zeb Talley, Jr. – Dr. Talley thanked Council, law enforcement and local clergy members for showing their support on the first day of school. Talley is proud of the students, faculty and administrators for their work towards getting the schools accredited. The students are performing and behaving at a high level. The 3-year and 4-year old programs are full with a waiting list. Talley explained that enrollment is about the same as last year. 124 new students were enrolled last year before September 24 so in the first month of the school year the enrollment will vary. Talley shared his vision of a new community gym in 2022 at Martinsville High School.

Hear a staff update from the Electric Department regarding recent power outages – City Manager Towarnicki detailed some of the most recent power outages and the City's plans to begin an aggressive tree-trimming project. Daniel Morrison explained what happened during the most recent outage, stating that residents lost power and surges entered some homes causing damage to both customer equipment and appliances as well as to some City equipment. Towarnicki said the cost to bury the lines would be considerable and repairs to underground lines would take more time than repairing lines on the poles. Daniel explained that the last outage took about 6 hours to repair, stating if the lines were underground, it would have taken a lot more time to fix. All three major outages were attributed to trees falling from across the road, not on City right-of-way. Morrison explained that beginning next week, Skyline Tree Service will begin maintenance on the right-of-way in addition to aggressive limb removal to remove limbs that could potentially cause outages in the near future. Skyline will cut and drop the wood; the Sheriffs' Department will take care of cutting the wood and clean up. Some lines will be installed underground and the Electric Department will continue to apply wildlife protection. Customers can help by maintaining their property, trimming tree limbs, grounding in the house and using surge protectors.

Consider setting a schedule and location for FY19 Council neighborhood meetings – Council Members agreed on the following dates and locations for the FY18-19 Neighborhood meetings for each location:

Druid Hills/Uptown – September 24 at Patrick Henry School

Westside Area – October 22 at Albert Harris School

Northside/Chatham Heights – March 25, 2019 at McCabe Church

Southside Area – April 22, 2019 at Wesley Memorial Methodist.

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Hear information regarding the Virginia Commission on Local government's Draft Report on Annexation Alternatives and consider submitting written comments for the public hearing process – City Manager Towarnicki directed Council to the 80-page report that was shared in the DropBox for Council's review. Towarnicki reviewed highlights of that report. September 3 is the final public hearing in Staunton and comments can be submitted before that date to be included in the report. Towarnicki touched on the comments previously submitted by the Martinsville City Attorney's office that have been recorded in the report. If council wants to review or revise the comments already submitted, that may be done before the September 3 public hearing deadline.

VML Urges Its Localities to Provide Written Comments

As you know, the Commission on Local Government will hold its final public hearing on the Annexation Study in Staunton on September 4th (2:00 pm, Central Shenandoah Planning District Commission Board Room 112, ~~Martinsville~~ Staunton Place) and they will take written comments until September 3rd at david.commy@dhcd.virginia.gov.

VML's Policy Statement says that "The Virginia Municipal League supports the General Assembly's provision of financial incentives to promote consolidation of local government services and cooperative agreements among local governments."

We recognize that our members have diverse views on Annexation, Consolidation and Reversion and that it is an incredibly complex topic. What we all may agree upon is this: the status quo isn't working.

The [draft report](#) identifies 9 matters for consideration:

1. Modify reversion and consolidation statutes to remove obstacles.
2. Make reversion and consolidation more cost-effective through incentives.
3. Grant additional powers to counties through reversion and other interlocal agreements
4. Evaluate mandated service delivery methods to identify appropriate service level.
5. Relax the requirements for the establishment of joint authorities and special districts.
6. Provide planning grants to explore interlocal agreements and other operational efficiencies.
7. Evaluate adequacy of local fiscal resources to identify enhancements.
8. Create or expand programs to reduce local fiscal stress.
9. Incentivize additional regional cooperation and regional programs.

The draft report also includes a good summary of the history of Virginia and the evolution of the system of independent cities. Cities have traditionally been the economic engines of their areas; however, with increased urban sprawl over time, their ability to grow and be successful has been stymied. One local manager pointed out that as the State has expanded its presence with more buildings that are exempt from real estate taxation, the fiscal stress for localities increases and places a significant burden on residents. Other localities may observe that these inherent limitations on taxing authority negatively impact their ability to raise necessary school funding. This poses a particular challenge as other local taxes, like the Communication Sales and Use Tax, which fails to include mobile devices, become progressively obsolete (Note: Although VML advocated for adding prepaid phone cards and streaming services under the Communication Sales and Use Tax during the 2018 Session, the concept found little momentum within the General Assembly). The tendency for the State to pass costs onto local governments, as in the case of benefits under the Line of Duty Act and health insurance credits for teachers, puts additional pressures on local governments. Also prevalent are the discussions of "hold harmless funding" and the lack of the ability to consolidate school systems.

These represent only a few of the issues that have been identified and discussed. Our request is this: VML asks that your locality take the time to review the draft report and consider making comments. It is imperative that the State take some definitive action so that localities can move forward with certainty and in a manner that makes them successful. At stake is the fiscal viability of local governments to deliver the public services mandated by the Commonwealth and expected by our citizens.

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

BUDGET ADDITIONS FOR 8/14/18				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY18				
BUDGET ADDITIONS				
General Fund:				
01102926	436401	Categorical Federal - Confiscated Assets - Police		1,143
01311085	506079	Police Dept. - Federal Asset Forfeitures	1,143	
		Funds received 5/2/18		
01100909	490801	Recovered Costs - Senior Services		2,354
01714212	501300	Senior Services - Part-time Wages	1,524	
01714212	502100	Senior Services - Social Security	95	
01714212	502110	Senior Services - Medicare	22	
01714212	506049	Senior Services - Vehicle Fuels	713	
		Transportation Grant - April through June		
01101916	434103	Categorical - Shared - Comm Atty Additional Allow.		17,000
01913250	503150	General Expense - Prof. Serv. Legal	17,000	
		Reimbursement of Expenses		
Total General Fund:			20,497	20,497
Capital Reserve Fund:				
16102927	436143	Federal Grant - FEMA Firefighters Grant Program		205,000
16572362	508080	Fire Dept. - Tools & Equipment	205,000	
		Grant for SCBA purchase		
Total Capital Reserve Fund:			205,000	205,000

Business from the Floor – Police Chief Cassady thanked the local churches, the neighborhood watch captains and the citizens who made National Night Out events successful.

Comments by Members of City Council – Council Member Lawson said she attended the school administration convocation with Council Member Bowles; the speaker was amazing and it was a very nice event. Lawson thanked Vice Mayor Martin for coordinating the back to school event. Council Member Bowles wished family members a happy birthday; she thanked Lawson and Martin for their participation during the back to school events. The Harvest Foundation had a wonderful open house and the Youth organization did a good job. Another highlight of National Night Out was seeing the Police Department and Council Members going live on social media during the events. Vice Mayor Martin thanked the Police Department and Neighborhood Watch Captains again for successful National Night Out events.

Council recessed regular session and reconvened back to closed session. Returning from 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. Mayor Teague explained that the Closed Session would recess until 7:00pm Thursday August 16, 2018.

Karen Roberts
Clerk of Council

Gene Teague
Mayor