

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA  
Council Chambers – Municipal Building  
**7:00 pm Closed Session 7:30 pm Regular Session**  
**Tuesday, March 12, 2019**

**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. 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 presentation of a proclamation recognizing and thanking Mr. Lawrence E. Mitchell, Jr., for his work regarding local African-American cemeteries. (5 mins)
2. Consider reading and presenting a proclamation recognizing March 2019 as Multiple Sclerosis Awareness Month. (5 mins)
3. Read a Proclamation acknowledging March 2019 as Women’s History Month. (5 mins)
4. Read and present a proclamation acknowledging the month of March as Red Cross Month. (5 mins)
5. Consider approval of Ordinance 2019-2 on second reading to designate 201 and 209 Aaron Street as a redevelopment zone. (10 mins)
6. Conduct a public hearing regarding a planned Community Development Block Grant application for the Pine Hall Road area. (15 mins)
7. Hear a presentation from Dewberry regarding a project at Beaver Creek Reservoir, and take certain actions necessary to facilitate possible funding (10 mins)
8. Consider approval of consent agenda (2 mins)
9. 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.**
10. Comments by members of City Council. (5 minutes)
11. Comments by City Manager. (5 minutes)

**Meeting Date:** March 12, 2019

**Item No:** 1.

**Department:** City Council

**Issue:** Consider presentation of a proclamation recognizing and thanking Mr. Lawrence E. Mitchell, Jr., for his work regarding local African-American cemeteries.

**Summary:** In the 2019 Session of the General Assembly, Delegate Les Adams introduced HB 2406 recognizing Peoples Cemetery, Matthews Cemetery and Smith Street Cemetery in the City of Martinsville, which has passed both Houses of the General Assembly. This Bill is an appropriate recognition of those interred there - local citizens, long deceased, who helped build Martinsville into an industrial and economic powerhouse, living lives of dignity and promise and raising their families here.

The bill would not have been possible without the efforts of Mr. Lawrence E. Mitchell, Jr., a citizen of Martinsville, who pursued the recognition of these graves and who personally visited each cemetery to identify every eligible grave, cooperated with the Virginia Department of Historic Resources in finalizing the Bill, and performed much of this work outside in winter weather.

**Attachments:** Proclamation

**Recommendations:** Mayor to read and present the proclamation. No formal action by Council is necessary.



## **Proclamation**

### **THANKING LAWRENCE E. MITCHELL, JR.**

**WHEREAS**, the City of Martinsville has three historic cemeteries containing the graves of African- American citizens interred before 1900; and

**WHEREAS**, the Commonwealth of Virginia has enacted a law recognizing such graves and appropriating annual funds for the maintenance and preservation; and

**WHEREAS**, Delegate Les Adams introduced HB 2406 in the 2019 Session of the General Assembly recognizing the Peoples Cemetery, Matthews Cemetery and Smith Street Cemetery, which has passed both Houses of the General Assembly; and

**WHEREAS**, this Bill is an appropriate recognition of those citizens, long deceased, who helped build Martinsville into an industrial and economic powerhouse, living lives of dignity and promise and raising their families here; and

**WHEREAS**, this bill would not have been possible without the efforts of Mr. Lawrence E. Mitchell, Jr., a citizen of Martinsville, who pursued the recognition of these graves and who personally visited each cemetery to identify every eligible grave, cooperated with the Virginia Department of Historic Resources in finalizing the Bill, and performed much of this work outside in inhospitable wintry weather; and

**WHEREAS**, this Bill appropriately achieved passage during African-American History Month; and

**WHEREAS**, none of this could have been achieved without the dedicated work of Mr. Mitchell;

**NOW THEREFORE**, I, Kathy Lawson, Mayor, and members of Martinsville City Council do hereby formally thank Mr. Lawrence E. Mitchell, Jr. for his dedication and service, and for making this historic achievement a reality.

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Kathy Lawson, Mayor



## City Council Agenda Summary

**Meeting Date:** March 12, 2019

**Item No:** 2.

**Department:** City Council

**Issue:** Consider reading and presenting a proclamation recognizing March, 2019 as Multiple Sclerosis Awareness Month.

**Summary:** A request was made of City Council to bring awareness to MS by considering a proclamation at the March 12 meeting.

**Attachments:** Proclamation

**Recommendations:** Mayor to read and present the proclamation. No formal action by Council is necessary.



## **Proclamation**

### **MULTIPLE SCLEROSIS AWARENESS MONTH**

**WHEREAS**, multiple sclerosis (MS) is a chronic, often disabling disease of the central nervous system that affects approximately 400,000 people in the United States; and

**WHEREAS**, it typically strikes young adults between the ages of 20 and 40 while in the prime of life. Women are more likely to have multiple sclerosis by about 31. Symptoms can begin as simply as tingling and progress to near paralysis; and

**WHEREAS**, March of 2019 is Multiple Sclerosis Education and Awareness Month. It is important for better education and awareness of multiple sclerosis so that it's victims can lead more productive and satisfying lives to benefit themselves, their caregivers and families, and the overall community, and

**WHEREAS**, multiple sclerosis is a disease that not only affects the person with the condition, but also greatly impacts family, friends, and the community; and

**WHEREAS**, the exact cause of multiple sclerosis is still unknown, and there is no known cure; and

**WHEREAS**, the symptoms of MS may be mild such as numbness in the limbs, or severe, such as paralysis or loss of vision; and

**WHEREAS**, every hour of every day, someone is newly diagnosed with multiple sclerosis; and

**WHEREAS**, the National Multiple Sclerosis Alliance of Virginia (MSAV) provides programs and services for anyone in Virginia whose life has been affected by MS; and

**WHEREAS**, the Blue Ridge Chapter of the National Multiple Sclerosis Society provides programs and services to address the challenges of everyone affected by MS;

**NOW, THEREFORE**, I, Kathy Lawson, Mayor, do hereby proclaim **March, 2019**, as **MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH** in the City of Martinsville VA and I call this observance to the attention of all our citizens.

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Kathy Lawson, Mayor

**Date:** March 12, 2019

**Item No:** 3.

**Department:** City Council

**Issue:** Read a Proclamation acknowledging March 2019 as Women's History Month.

**Summary:** Since 1987, the month of March has been observed as Women's History Month. A Proclamation is attached acknowledging this and bringing awareness to the significance of the contributions women have made in our society.

**Attachments:** Proclamation

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



## PROCLAMATION

### RECOGNIZING MARCH 2019 AS WOMEN'S HISTORY MONTH IN THE CITY OF MARTINSVILLE

**WHEREAS**, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

**WHEREAS**, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

**WHEREAS**, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

**WHEREAS**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

**WHEREAS**, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS**, American women have served our country courageously in the military; and

**WHEREAS**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**WHEREAS**, Over time, Martinsville women have served in a variety of key leadership roles including Council Members Elizabeth Haskell, Eliza Severt, Kathy Lawson, Kim Adkins, Sharon Brooks Hodge, and Jennifer Bowles, and

**WHEREAS**, Despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history,

**NOW, THEREFORE**, I, Kathy Lawson, Mayor, and members of Martinsville City Council do hereby proclaim the month of March 2019 as Women's History Month in the City of Martinsville and we urge all citizens to join in celebrating the contributions women have made to our society.

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Kathy Lawson, Mayor

**Date:** March 12, 2019

**Item No:** 4.

**Department:** City Council

**Issue:** Read and present a proclamation acknowledging the month of March as Red Cross Month.

**Summary:** The proclamation recognizes the month of March as Red Cross month. A representative of American Red Cross will be present to accept the proclamation.

**Attachments:** Proclamation

**Recommendations:** No action by Council needed - the Mayor will read and present the proclamation.



## **Proclamation**

### **RECOGNIZING THE MONTH OF MARCH AS AMERICAN RED CROSS MONTH**

**WHEREAS**, March is American Red Cross Month - a special time to recognize and thank our heroes - those who volunteer, donate blood, take life-saving courses or provide financial donations to support an organization whose mission is to help those in need; and

**WHEREAS**, we would like to remember those who help all of us here in the City of Martinsville by giving their time to help their neighbor, and thank our heroes-our volunteers, blood donors, class takers and financial supporters who help assist those in need; and

**WHEREAS**, in our community, Red Cross works tirelessly through its employees and volunteers to help when disaster strikes, when someone needs lifesaving skills or the comfort of a helping hand; and

**WHEREAS**, across the country, the American Red Cross responds to nearly 70,000 disasters a year. It provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the nation's blood supply and trains more than seven million people in first aid, water safety and other life-saving skills every year; and

**WHEREAS**, our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission, and despite these challenging economic times, the American Red Cross continues to offer help and comfort to those in need,

**NOW, THEREFORE**, I, Kathy Lawson, Mayor, and members of Martinsville City Council, on this 12<sup>th</sup> day of March, 2019 do hereby proclaim and recognize the month of March as American Red Cross Month and acknowledge our sincere appreciation for the work Red Cross does in our community. We encourage all citizens to support this organization and its noble humanitarian mission.

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Kathy Lawson, Mayor

**Date:** March 12, 2019

**Item No:** 6.

**Department:** Community Development

**Issue:** Consider a request from Landmark Property Management Company to designate 201 and 209 Aaron Street as a redevelopment zone.

**Summary:** Representatives from Landmark Property Management Company will be in attendance at this meeting to present plans for a housing project at 201/209 Aaron Street. This is the site of the American of Martinsville fire that burned in March, 2014.

To enhance the project's possibility of funding through VHDA and other sources, Landmark is requesting that the parcels designated as 201 and 209 Aaron Street be designated as a revitalization zone, as allowed under §15.2-1129.2 (Creation of Local Economic Revitalization Zones )of the state code.

**Attachments:** Copy of §15.2-1129.2 (Creation of Local Economic Revitalization Zones) of the state code; Ordinance 2019-2 designating 201 and 209 Aaron Street as a revitalization zone.

**Recommendation:** Approval on second reading (roll call vote).

**ORDINANCE 2019-2**

Establishing Certain Properties in the City of Martinsville as a Revitalization Zone

**BE IT ORDAINED** by the Council of the City of Martinsville, Virginia, in regular session held on March 12, 2019 that in accordance with §15.2-1129.2 “Creation of Local Economic Revitalization Zones” of the Code of Virginia, properties located on the northeast side of Aaron Street between Broad Street and Starling Avenue and specifically designated as 201 and 209 Aaron Street consisting of approximately 6.4 acres, are hereby collectively designated as a revitalization zone. The properties are further identified as Tax Map Numbers 42(18)00/01A-R and 43(02)A/01A-S, in the City of Martinsville.

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Attest:

\_\_\_\_\_  
Karen B. Roberts, Clerk of Council

\_\_\_\_\_  
Date Adopted

\_\_\_\_\_  
Date Effective

## § 15.2-1129.2. Creation of local economic revitalization zones.

A. Any city may establish by ordinance one or more economic revitalization zones for the purpose of providing incentives to private entities to purchase real property and interests in real property to assemble parcels suitable for economic development. Each city establishing an economic revitalization zone may grant incentives and provide regulatory flexibility. Such zones shall be reasonably compact, shall not encompass the entire city, and shall constitute one or more tax parcels not commonly owned. Properties that are acquired through the use of eminent domain shall not be eligible for the incentives and regulatory flexibility provided by the ordinance.

B. The incentives may include, but not be limited to: (i) reduction of permit fees, (ii) reduction of user fees, (iii) reduction of any type of gross receipts tax, and (iv) waiver of tax liens to facilitate the sale of property.

C. Incentives established pursuant to this section may extend for a period of up to 10 years from the date of initial establishment of the economic revitalization zone; however, the extent and duration of any incentive shall conform to the requirements of applicable federal and state law.

D. The regulatory flexibility provided in an economic revitalization zone may include (i) special zoning for the district, (ii) the use of a special permit process, (iii) exemption from certain specified ordinances, excluding ordinances or provisions of ordinances adopted pursuant to the requirements of the Chesapeake Bay Preservation Act (§ [62.1-44.15:67](#) et seq.), the Erosion and Sediment Control Law (§ [62.1-44.15:51](#) et seq.), and the Virginia Stormwater Management Act (§ [62.1-44.15:24](#) et seq.), and (iv) any other incentives adopted by ordinance, which shall be binding upon the locality for a period of up to 10 years.

E. The governing body may establish a service district for the provision of additional public services pursuant to Chapter 24 (§ [15.2-2400](#) et seq.) of Title 15.2.

F. This section shall not authorize any local government powers that are not expressly granted herein.

G. Prior to adopting or amending any ordinance pursuant to this section, a locality shall provide for notice and public hearing in accordance with subsection A of § [15.2-2204](#).

2007, c. [262](#); 2013, cc. [756](#), [793](#).

**Date:** March 12, 2019

**Item No:** 7.

**Department:** Community Development

**Issue:** Conduct a public hearing regarding a planned Community Development Block Grant application for the Pine Hall Road area.

**Summary:** The March 12 public hearing is to officially approve the submission of the application to DHCD for funding for the Pine Hall Road Community Development Block Grant. At this meeting, information regarding final project boundaries, cost and objectives of the revitalization project will be presented.

The purpose of this effort is to address blighting influences and assist property owners in rehabbing their respective residences and also to engage the residents of the Pine Hall Road area in the improvement of their neighborhood.

**Attachments:** None

**Recommendation:** Conduct the public hearing and approve (motion and second, voice vote) the submission of the application to DHCD for a Community Development Block Grant for the Pine Hall Road project area.

**Date:** March 12, 2019

**Item No:** 8.

**Department:** Water Resources

**Issue:** Hear a presentation from Dewberry regarding a project at Beaver Creek Reservoir, and take certain actions necessary to facilitate possible funding.

**Summary:** As a result of conditions observed at the spillway of the Beaver Creek Reservoir, the Department of Conservation and Recreation (DCR) issued a conditional operation and maintenance certificate in April 2018, requiring a Preliminary Engineering Report (PER) be completed with recommendations for the repair of the spillway structure as well as a recommendation to reduce uncontrolled seepage that is responsible for the voids that are present beneath the spillway structure. The City contracted with Dewberry to complete the PER, and the recommendation is to proceed with repairs necessary to maintain the integrity of the spillway structure.

At Council's March 12 meeting, a representative from Dewberry will provide information regarding the repair needs and estimated project cost. Additional information will be presented to address a separate issue with an aging water supply tank.

The City has an opportunity to apply for funding for these projects through the Virginia Department of Health-Office of Drinking Water.

**Attachments:** Resolution

**Recommendation:** Two actions by Council are needed regarding this matter: (1) Consider adoption of a resolution supporting the seeking of funding from Virginia Department of Health – Office of Drinking Water, and (2) consider authorizing the City Manager to execute any/all documents to accept such funding contingent upon review by the City Attorney and Council.

*Council Members*  
Kathy Lawson, Mayor  
Chad Martin, Vice-Mayor  
Jennifer Bowles  
Danny Turner  
Jim Woods



*City Manager*  
Leon E. Towarnicki  
*City Attorney*  
Eric H. Monday  
*Clerk of Council*  
Karen Roberts

## **RESOLUTION**

### **AUTHORIZE FUNDING APPLICATION THROUGH VDH OFFICE OF DRINKING WATER**

**WHEREAS**, the City of Martinsville intends to apply for funding for the Beaver Creek Reservoir Project due to the severely deteriorated state of the reservoir spillway and related elements; and

**WHEREAS**, the Virginia Department of Health-Office of Drinking Water has funding available through their Drinking Water State Revolving Fund; and

**WHEREAS**, the City of Martinsville has project planning material and found that the pre-requirements have been met for submitting a funding application;

**THEREFORE, BE IT RESOLVED**, that the City of Martinsville hereby voted to seek funding from the Virginia Department of Health-Office of Drinking Water for the following project;

#### **Beaver Creek Reservoir Rehabilitation and Water System Improvements \$2,500,000**

**NOW THEREFORE, BE IT RESOLVED**, that the City of Martinsville will immediately begin to process a funding application for this project and authorizes Leon Towarnicki, City Manager to execute any and all documents to accept such funding contingent upon review and concurrence by the City Attorney and City Council.

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Aye \_\_\_\_\_ Nay \_\_\_\_\_ Absent \_\_\_\_\_

This 12<sup>th</sup> day of March 2019

\_\_\_\_\_  
Kathy Lawson, Mayor

Attest:

\_\_\_\_\_  
Karen Roberts, Clerk of Council

**Meeting Date:** March 12, 2019  
**Item No:** 9.  
**Department:** Finance  
**Issue:** Consent Agenda

**Summary:**

**Item #1:**

The attachment amends the FY19 Budget with appropriations in the following funds:

General: \$15,922 –Reimbursements and Grants

**Item #2:**

School Capital Projects – On 10/9/18, Council approved the use of \$23,523 for roof repairs at Clearview. Total cost of project at completion was \$37,023. This resulted in the use of an additional \$13,500.

**Attachments:**

Consent Agenda 3-12-19

**Recommendations:** Approve Item #1

Item #2 is for informational purposes.

BUDGET ADDITIONS FOR 3/12/19				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b><u>BUDGET ADDITIONS</u></b>				
<b><u>General Fund:</u></b>				
01102925	436142	Non-categorical Federal - US Marshalls OT Grant		922
01311085	501200	Police Dept - Overtime Grant funding	922	
01100906	461624	Services - EMS Tuition		10,000
01100909	490146	Recovered Costs - EMS Instruction Reimbursement		5,000
01322105	501112	EMS - Instructor Stipend	6,000	
01322105	503159	EMS - Prof. Services - Instructors	1,500	
01322105	506144	EMS - Course Supplies	7,500	
		Revenues and expenses related to EMS training program.		
<b>Total General Fund:</b>			<b>15,922</b>	<b>15,922</b>