

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA
Council Chambers – Municipal Building
7:30 pm Regular Session
Tuesday, March 26, 2019

7:30—Regular Session

Pledge to the American Flag and Invocation by Council Member Woods

1. Hear an overview of the March 25, 2019 Northside and Chatham Heights neighborhood tour and meeting (10 mins)
2. Consider presentation of a proclamation recognizing and thanking Mr. Lawrence E. Mitchell, Jr. for his work regarding local African-American cemeteries. (5 mins)
3. Read and present a proclamation acknowledging April 2, 2019 as National Service Recognition Day. (5 mins)
4. Read and present a proclamation recognizing the week of April 7 – 13, 2019 as National Library Week. (5 mins)
5. Read and present a proclamation recognizing April as Sexual Assault Awareness Month. (5 mins)
6. Consider adoption of a resolution recognizing April as Fair Housing Month and expressing the City’s pledge to provide equal housing opportunities for all citizens (10 mins)
7. Consider approval of a resolution authorizing the preparation and filing of an application for community improvement grant funds through the Virginia Community Development Block Grant program. (10 mins)
8. Consider adoption on first reading, Ordinance 2019-3 amending Section 21-109 of Article IX, “Cigarette Tax” of the Martinsville City Code to establish a time limit under which a refund may be issued for unused cigarette tax stamps. (10 mins)
9. Consider adoption on first reading, Ordinance 2019-4 amending Chapter 21 “Taxation” of the Martinsville City Code by adding new Section 21-13 to provide for an abatement of tax levies on buildings that are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner. (10 mins)
10. Consider authorizing staff to certify a Creative Communities Partnership Grant application to be filed by Piedmont Arts Association. (10 mins)
11. Consider approval of consent agenda (2 mins)
12. 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.**
13. Comments by members of City Council. (5 minutes)
14. Comments by City Manager. (5 minutes)



City Council Agenda Summary

Date: March 26, 2019

Item No: 1.

Department: City Council

Issue: Hear an overview of the March 25, 2019 Northside neighborhood tour and meeting.

Summary: A recap of the neighborhood tour and the Northside neighborhood community meeting held at McCabe Baptist Church at 107 Clearview Drive on Monday, March 25th will be given.

Attachments: None

Recommendations: This item is being presented for public information purposes – no action needed by Council.

Meeting Date: March 26, 2019

Item No: 2.

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, on this 26th day of March, 2019 do hereby formally thank Mr. Lawrence E. Mitchell, Jr. for his dedication and service, and for making this historic achievement a reality.

Kathy Lawson, Mayor



City Council Agenda Summary

Date: March 26, 2019

Item No: 3.

Department: City Council

Issue: Read and present a proclamation acknowledging April 2, 2019 as National Service Recognition Day.

Summary: The proclamation recognizes April 2, 2019 as National Service Recognition Day.

Attachments: Proclamation

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



PROCLAMATION

NATIONAL SERVICE RECOGNITION DAY – APRIL 2, 2019

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's communities are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps members and volunteers address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century, to fighting the opioid epidemic, to responding to natural disasters, to supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps members and volunteers serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, Cities of Service, and local leaders across the country for National Service Recognition Day on April 2, 2019.

NOW THEREFORE, I, Kathy Lawson, Mayor of the City of Martinsville, along with Martinsville City Council members, do hereby proclaim April 2, 2019, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities.

Kathy Lawson, Mayor

Date: March 26, 2019

Item No: 4.

Department: City Council

Issue: Read and present a proclamation recognizing the week of April 7 – 13, 2019 as National Library Week.

Summary: In the mid-1950s, research showed that Americans were spending less on books and more on radios, televisions and musical instruments. Concerned that Americans were reading less, the ALA and the American Book Publishers formed a nonprofit citizens organization called the National Book Committee in 1954. The committee's goals were ambitious. They ranged from "encouraging people to read in their increasing leisure time" to "improving incomes and health" and "developing strong and happy family life."

In 1957, the committee developed a plan for National Library Week based on the idea that once people were motivated to read, they would support and use libraries. With the cooperation of ALA and with help from the Advertising Council, the first National Library Week was observed in 1958 with the theme "Wake Up and Read!"

National Library Week was observed again in 1959, and the ALA Council voted to continue the annual celebration. When the National Book Committee disbanded in 1974, ALA assumed full sponsorship. National Library Week is generally observed the second week of April and this year will be observed April 7-13, with the theme, "Libraries = Strong Communities."

Attachments: Proclamation

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



PROCLAMATION

NATIONAL LIBRARY WEEK APRIL 7 – 13, 2019

WHEREAS, libraries are not just about what they have for people, but what they do for and with people; and

WHEREAS, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools; and

WHEREAS, librarians are leaders in their institutions and organizations, in their communities, in the nation and in the world; and

WHEREAS, librarians continue to lead the way in leveling the playing field for all who seek information and access to technologies; and

WHEREAS, libraries and librarians look beyond their traditional roles and provide transformative opportunities for education, employment, entrepreneurship, empowerment and engagement, as well new services that connect closely with patrons' needs; and

WHEREAS, libraries are pioneers supporting democracy and effecting social change, with a commitment to providing equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

WHEREAS, libraries lead in working with diverse communities, including people of color, immigrants and people with disabilities, offering services and educational resources that transform communities, open minds and promote inclusion and diversity; and

WHEREAS, this year's theme; Libraries = Strong Communities, illustrates how today's libraries are at the heart of our cities, towns, schools and campuses, providing critical resources, programs and expertise. They also provide a public space where all community members, regardless of age, culture or income level, can come together to connect and learn.; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week;

NOW, THEREFORE, I, Kathy Lawson, Mayor, and members of Martinsville City Council, on this 26th day of March, 2019 do hereby proclaim and acknowledge the week of April 7 – 13, 2019 as **National Library Week**. We encourage all residents to visit the library during this week and explore what's new at your library, and engage with your librarian.

Kathy Lawson, Mayor

Meeting Date: March 26, 2019

Item No: 5.

Department: City Council

Issue: Read and present a proclamation recognizing April as Sexual Assault Awareness Month.

Summary: Staff from Southside Survivor Response Center (formerly CAFV) will attend Council's meeting to provide comments regarding this issue, and to accept the proclamation.

Attachments: Proclamation

Recommendations: Read and present proclamation



PROCLAMATION

MONTH OF APRIL AS SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of the City of Martinsville; and

WHEREAS, Rape, sexual assault, and sexual harassment impact our community as seen by statistics indicating that one in five women will have experienced sexual assault by the time they complete college; and

WHEREAS, Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience a sexual assault before the age 18; and

WHEREAS, Staff and volunteers of Southside Survivor Response Center anti-violence programs in the City of Martinsville encourage every person to speak out when witnessing acts of violence however small; and

WHEREAS, With leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in the City of Martinsville through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

WHEREAS, The City of Martinsville strongly supports the efforts of national and state partners, as well as our local partner Southside Survivor Response Center, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence,

NOW THEREFORE, I, Kathy Lawson, Mayor, along with Martinsville City Council members join anti-sexual violence advocates and support service programs in the belief that all community members must be part of the solution to end sexual violence. Along with the United States Government and State of Virginia, I do hereby proclaim April, 2019 as **“Sexual Assault Awareness Month”**.

Kathy Lawson, Mayor



City Council Agenda Summary

Meeting Date: March 26, 2019

Item No: 6.

Department: Community Development

Issue: Every year, the month of April is celebrated as Fair Housing Month. As has been the practice in past years, City Council approves a resolution proclaiming the month of April as Fair Housing Month in the City of Martinsville.

Attachments: Resolution

Recommendations: Approve resolution

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

RECOGNIZING APRIL, 2019 AS FAIR HOUSING MONTH

WHEREAS, the City of Martinsville strives to promote principles of Equal Housing Opportunity by prohibiting discrimination practices in the sale, rental and financing of housing and in implementing its housing and community development programs in a manner to affirmatively further the purposes of the fair housing laws; and

WHEREAS, the basis for discrimination outlawed by the federal and state fair housing acts are race, color, sex, religion, national origin, handicap, age and familial status; and

WHEREAS, the City of Martinsville believes persons of similar levels should have available to them a like range of housing opportunities and will work to promote equality and freedom of choice; now therefore,

BE IT RESOLVED by the Martinsville City Council that, on this 26th day of March 2019, in recognition of April as Fair Housing Month, it does hereby pledge to work with its citizens in pursuit of the shared goal and responsibility for providing equal housing opportunities for all persons.

Attest:

Karen Roberts, Clerk of Council

March 26, 2019

Date Adopted

Date: March 26, 2019

Item No: 7.

Department: Community Development

Issue: Consider approval of a resolution authorizing the preparation and filing of an application for community improvement grant funds through the Virginia Community Development Block Grant program.

Summary: This is the final step in submittal of an application for a Community Development Block Grant for the Pine Hall Road Project Area. The application being submitted to Virginia Department of Housing and Community Development is for the amount of \$1,250,000 and covers a variety of housing, neighborhood, and infrastructure improvements. The application deadline is March 29, 2019.

Attachments: Resolution

Recommendation: Approval of the resolution

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

AUTHORIZING THE PREPARATION AND FILING OF AN APPLICATION FOR COMMUNITY IMPROVEMENT GRANT FUNDS THROUGH THE VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Martinsville has previously participated in the Community Development Block Grant (CDBG) program as administered by the Virginia Department of Housing Community Development (VDHCD) in order to address the City's priority community development needs; and

WHEREAS, the City of Martinsville has identified revitalization of the City as a priority need to be addressed through several projects over the previous years and more specifically has identified the Pine Hall area consisting of West Fayette Street, Pine Hall Road, North Street, Kings Row, Marshall Street, Top Street, and Wray Street, to be the next area of most significant need due to the deteriorated and dilapidated condition of the residential properties in the area and the inadequate street condition in the area; and

WHEREAS, the City applied for and received a CDBG Planning Grant in the amount of \$30,000 from VDHCD in FY 2019 to undertake a neighborhood revitalization study to identify needs, develop a proposed improvement program and budget, identify additional funding resources to implement said program, and conduct the additional work necessary to submit a 2019 CDBG Community Improvement Grant application; and

WHEREAS, the City is eligible for and wishes to submit a 2019 CDBG Community Improvement Grant application for the Martinsville Pine Hall Neighborhood Revitalization Project for a total of \$1,250,000 to VDHCD by March 29, 2019; and

WHEREAS, the City conducted public and stakeholder meetings, formed a Project Management Team which met on a regular basis; completed a physical needs assessment of the targeted portion of the Pine Hall neighborhood and surrounding properties; conducted a Housing Occupancy Survey of the owner-occupants and tenant-occupants within the targeted portion of the Pine Hall neighborhood; solicited and received Preliminary Applications for Housing Assistance from owner-occupants and tenant-occupants and preliminary Landlord Participation Agreements within the final delineated project area; completed a Preliminary Engineering Report and cost estimate for the stormwater drainage system and street improvements within the final delineated project area; and

WHEREAS, said needs assessment and surveys identified deteriorating and dilapidated residential property as a significant problem in the targeted portion of the Pine Hall neighborhood as a blighting influence on the area; and

WHEREAS, a Martinsville Pine Hall Neighborhood Revitalization Improvement Program for physical improvements has been developed by the City in cooperation with property owners and related stakeholders pursuant to requirements for funding set forth by VDHCD including a report on the estimated housing rehabilitation and demolition costs within the final delineated project area; a preliminary Housing Rehabilitation Program Design requiring private investment by investor-owners of rental property; a Preliminary Engineering Report (PER) with cost estimates for installing turnarounds and improving street utilities in the target area; and

WHEREAS, the City of Martinsville is in receipt of sixteen (16) Preliminary Applications for Housing Assistance from residents within the final delineated project area of which sixteen (16) or 100% represent LMI households, six (6) Landlord Participation Agreements from investor-owners of residential property in the area and said property owners have indicated that they will provide 10% of the cost of rehabilitating their properties for a total of \$27,000 in private investment; and

WHEREAS, the proposed Housing Rehabilitation Program will provide one hundred percent (100%) direct benefit for ten (10) LMI owner-occupied housing units/households with twenty (20) persons and for six (6) LMI tenant-occupied housing units/households with approximately ten (10) persons; and the planned demolition and street improvements will provide an indirect benefit for sixty (60) residential units/households (at full occupancy) by eliminating associated blight/blighting influences; and

WHEREAS, the City of Martinsville has or will secure financial commitments for the final delineated project area including: 1) \$54,000 of its Streets Budget for street improvements during Fiscal Years 2020 and 2021; 2) \$12,000 from the Program Income Funds received for housing rehabilitation in the Northside and other previous CDBG project areas; 3) \$15,000 from its General Fund Budget for project-related administrative costs during Fiscal Years 2020 and 2021; 4) waive all project-related residential building permit fees within the area at an estimated value of \$7,180 6) invest its workforce and equipment for assisting with neighborhood clean-up and demolitions, at an estimated value of \$60,000; for a total City investment of \$148,180; and

WHEREAS, the City of Martinsville has properly advertised and conducted public hearings on February 26, 2019 and March 12, 2019 which addressed the CDBG program and the CDBG project application, thereby meeting citizen participation requirements; and

WHEREAS, the residents and property owners in the targeted portion of the Pine Hall neighborhood and the Management Team have requested the City to proceed post haste in resolving the problems identified in the final delineated Pine Hall project area and

in securing necessary funding to carry out the Martinsville Pine Hall Neighborhood Revitalization Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Martinsville, Virginia that:

1. The City of Martinsville wishes to apply for a 2019 CDBG Community Improvement Grant in the amount of **\$1,250,000** for the Martinsville Pine Hall Neighborhood Revitalization Project; and hereby commits a total of **\$148,180** in City investment combined with a solicited **\$27,000** in private investment for a total project cost of **\$1,425,180** for the purpose of rehabilitating or substantially reconstructing sixteen (16) residential housing units through a Housing Rehabilitation Program and providing infrastructure upgrades to the neighborhood streets in the delineated project area in order to meet all program-eligible housing rehabilitation needs and to eliminate the blight/blighting influences in the final delineated project area.
2. The City hereby authorizes the City Manager, the City's chief administrative official, to execute and file all appropriate documents necessary for submission of the City of Martinsville's 2019 Community Development Block Grant application on or before March 29, 2019 and to provide such additional information as may be required by the Virginia Department of Housing and Community Development.

DATE:

CITY OF MARTINSVILLE

Kathy Lawson, Mayor

ATTEST:

Karen Roberts, Clerk of Council

Date: March 26, 2019

Item No: 8.

Department: Commissioner of the Revenue, City Treasurer

Issue: Consider adoption on first reading, Ordinance 2019-3 amending Section 21-109 of Article IX, “Cigarette Tax” of the Martinsville City Code to establish a time limit under which a refund may be issued for unused cigarette tax stamps.

Summary: A recent situation occurred whereby a request for a refund of unused cigarette tax stamps purchased over 4 years ago was presented to the Commissioner of the Revenue. The current language of the City Code related to such refunds does not prescribe a time limit to provide guidance for honoring such requests. The suggested amendment to §21-109 of the City Code sets a time limit of 3 years for unused and mutilated stamps, consistent with appeal limitations for other business taxes, and 12 months for affixed stamps on unsaleable cigarette packs that are returned to the manufacturer.

Attachments: Ordinance 2019-3

Recommendation: Approval on first reading (roll call vote).

ORDINANCE 2019-3

Amending §21-109 of Article IX, “Cigarette Tax” of the Martinsville City Code by including new paragraph (c) prescribing time limits under which a cigarette tax stamp refund may be issued.

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on March 26, 2019 that §21-109 of Article IX, “Cigarette Tax” of the Martinsville City Code is hereby amended to include new paragraph (c) establishing the time period under which a cigarette tax refund may be granted.

Sec. 21-109. - Refund for unused stamps or meter imprints.

(a) Should any person, after acquiring from the city treasurer any stamps provided for in this article, cease to be engaged in a business necessitating the use thereof, or should any stamps become mutilated or unfit for use, other than by cancellation as provided in this article, such person shall be entitled to a refund of the denominational or face amount of any stamps so acquired and not used by him less five (5) percent of the denominational or face amount thereof, upon presenting such stamps to the commissioner of the revenue and furnishing the commissioner of the revenue with an affidavit showing, to his or her satisfaction, that such stamps were acquired by such person and have not in any manner been used and the reason for requesting such refund. In the case of any authorized stamp meter machine, should any imprints of such machine theretofore paid for not be used, such person shall, upon furnishing the commissioner of the revenue with a similar affidavit, be entitled to a refund of the denominational or face amount thereof, less five (5) percent of such imprints of such machine not so used.

(b) All refunds for unused and mutilated stamps and for nonuse of imprints of stamps by stamp meter machines provided for under this section are hereby authorized to be made on vouchers approved by the commissioner of the revenue and presented to the treasurer, and, when made, the same shall be charged against the sums collected for the sale of such stamps and the use of such imprints.

(c) Any refunds authorized under this section shall be subject to time limitations:

(1) No refund shall be made in any case when the refund application is made more than three (3) years after the original sale date for unused or mutilated stamps.

(2) A refund shall be made in any case where the refund application is made within twelve (12) months of the date of the certified manufacturer’s affidavit of unsaleable or returned cigarette packs with affixed stamps.

Attest:

Karen B. Roberts, Clerk of Council

Date Adopted

Date Effective

Date: March 26, 2019

Item No: 9.

Department: Commissioner of the Revenue

Issue: Consider adoption on first reading, Ordinance 2019-4 amending Chapter 21 “Taxation” of the Martinsville City Code by adding new Section 21-13 to provide for an abatement of tax levies on buildings that are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner.

Summary: Pursuant to §58.1-3222 of the Code of Virginia, a locality may enact an ordinance providing for the abatement of tax levies on buildings which are (a) razed, or (b) destroyed or damaged by a fortuitous happening beyond the control of the owner. The proposed ordinance allows the Commissioner of the Revenue to make such tax adjustments as may be appropriate under the prescribed circumstances.

Attachments: Section 58.1-3222 of the Code of Virginia; Ordinance 2019-4

Recommendation: Approval on first reading (roll call vote).

ORDINANCE 2019-4

Amending Chapter 21 “Taxation” of the Martinsville City Code by enacting new §21-13 “Abatement of Levies on Buildings Razed, Destroyed or Damaged by Fortuitous Happenings” providing for an abatement of tax levies on buildings which are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner.

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on March 26, 2019 that Chapter 21 “Taxation” of the Martinsville City Code is hereby amended by enacting new §21-13 providing for an abatement of tax levies on buildings which are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner

Sec. 21-13. – Abatement of Levies on Buildings Razed, Destroyed or Damaged by Fortuitous Happenings.

The City will provide for the abatement of levies on buildings which are razed, destroyed or damaged by a fortuitous happening beyond the control of the owner. No such abatement, however, shall be allowed if the destruction or damage to such building shall decrease the value thereof by less than five hundred dollars (\$500.00). Also, no such abatement shall be allowed if such destruction or damage shall be repaired during the same calendar year in which it occurred. The tax on such razed, destroyed or damaged building is computed according to the ratio which the portion of the fiscal year the building was fit for use, occupancy and enjoyment bears to the entire year. Application for such abatement must be made to the Commissioner of the Revenue by, or on behalf of, the owner of the building within six months of the date on which the building was razed, destroyed or damaged in order for the owner to receive that abatement.

Attest:

Karen B. Roberts, Clerk of Council

Date Adopted

Date Effective

§ 58.1-3222. Abatement of levies on buildings razed, destroyed or damaged by fortuitous happenings.

The governing body of any county or city may provide for the abatement of levies on buildings which are (i) razed, or (ii) destroyed or damaged by a fortuitous happening beyond the control of the owner. In any county or city wherein assessments are made as provided in § [58.1-3292](#) or § [58.1-3292.1](#), the governing body shall so provide. No such abatement, however, shall be allowed if the destruction or damage to such building shall decrease the value thereof by less than \$500. Also, no such abatement shall be allowed unless the destruction or damage renders the building unfit for use and occupancy for thirty days or more during the calendar year. The tax on such razed, destroyed or damaged building is computed according to the ratio which the portion of the year the building was fit for use, occupancy and enjoyment bears to the entire year. Application for such abatement shall be made by or on behalf of the owner of the building within six months of the date on which the building was razed, destroyed or damaged.

Code 1950, § 58-811.2; 1958, c. 559; 1984, cc. 372, 675; 2000, c. [399](#).

Date: March 26, 2019

Item No: 10.

Department: City Manager

Issue: Consider authorizing staff to certify a Creative Communities Partnership Grant application to be filed by Piedmont Arts Association.

Summary: Piedmont Arts Association annually has the opportunity to apply to the Virginia Commission for the Arts, for a Creative Communities Partnership Grant. The grant provides a dollar for dollar match up to \$4500, for the monies given by local governments to arts organizations. Piedmont Arts has been successful in leveraging the City's annual contribution for a number of years, in obtaining this grant. The grant is for the 2019-2020 fiscal year, with applications due April 1. Once the City's FY20 budget is finalized, documentation regarding the City's annual contribution to Piedmont Arts is provided to VCA, and the grant is released to Piedmont Arts.

Certification of the application requires authorization of the local governing body.

Attachments: Certification form

Recommendation: Authorize the City Manager to certify the application.

Certification of Assurances & Grant Conditions for Local Government Grantees

Virginia Commission for the Arts grantees are required to be non-profit Virginia organizations and exempt from federal income tax under Section 501(a), which includes the 501(c)3 designation of the Internal Revenue code, or are units of government, educational institutions, or local chapters of tax exempt national organizations.

No part of any Commission grant shall be used for any activity intended or designed to influence a member of Congress or the General Assembly to favor or oppose any legislation.

Each Commission grantee will:

- read and review the [2019-2020 Online Guidelines for Funding](#) before applying.
- follow the principles and actions as stated in the Virginia Commission for the Arts' Statement on Cultural Equity.
- provide accurate, current and complete financial records of each grant;
- maintain accounting records which are supported by source documentation;
- maintain effective control over and accountability for all funds, property, and other assets ensuring that assets are used solely for authorized purposes;
- maintain procedures ensuring timely disbursement of funds;
- provide the Commission, or its authorized representatives, access to the grant-related financial records if requested

The grantee will expend any and all grant funds only for purposes described in the application form and attachments. The grantee must request permission in writing to make changes to the proposed sub grantees, budget, schedule, program and or personnel. The requested changes must be approved in advance by the Commission.

Each Commission grantee will comply with these federal statutes and regulations:

- Title VI, Section 601, of the Civil Rights Act of 1964, which provides that no person, on the ground of race, color or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- Title IX, Section 1681, of the Education Amendments of 1972, which provides that, with certain exceptions, no person, on the basis of sex or age, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans With Disabilities Act of 1990 which states that no otherwise qualified person shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in federally assisted programs. Compliance with this Act includes the following: notifying employees and beneficiaries of the organization that it does not discriminate on the basis of handicap and operation of programs and activities which, when viewed in their entirety, are accessible to persons with disabilities. Compliance also includes maintenance of an evaluation plan developed with the assistance of persons with disabilities or organizations representing disabled persons which contains: policies and practices for

making programs and activities accessible; plans for making any structural modifications to facilities necessary for accessibility; a list of the persons with disabilities and/or organizations consulted; and the name and signature of the person responsible for the organization’s compliance efforts (“ADA Coordinator”).

Appropriation / Grant Confirmation

Each local government will confirm in writing to the Commission that its governing board has appropriated the matching funds. The confirmation letter must include a list of the organizations that received funding and the total amount, including a breakout of the Commission’s \$ share and the local government’s \$ share, awarded to each organization as well as the appropriate page of your city’s/jurisdiction's approved FY2020 budget showing the amount of the award and match or a copy of the check (s) to the sub-grantee (s).

The Commission will pay the grant in full after receiving this confirmation. **The deadline for this confirmation is February 1, 2020.**

In all published material (printed programs, news releases, web news, email alerts, advertisements, flyers, etc.) and announcements regarding the particular activity or activities supported, acknowledgment of the Commission must be made. A suggested phrase is “(organization or activity) is partially supported by funding from the Virginia Commission for the Arts and the National Endowment for the Arts.”

This application must be signed by an individual duly authorized by the governing body of the locality to act on its behalf and submitted with every grant application made to the Commission.

Authorizing officials include: County Administrators, Mayors, City/Town Managers, etc. The signature of the individual indicates the locality’s compliance with all of the grant conditions listed above.

The undersigned certifies to the best of his/her knowledge that:

- the information in this application and its attachments is true and correct;
- the filing of this application has been duly authorized by the governing body of the applicant organization;
- the applicant organization agrees to comply with all grant conditions cited above.

The undersigned further certifies that he or she has the legal authority to obligate the applicant locality.

Name of Local Government: City of Martinsville

Name of Authorizing Official: Leon Towarnicki

Title: City Manager

Signature of Authorizing Official: _____ Date: _____

Email of Authorizing Official: ltowarnicki@ci.martinsville.va.us

NOTE: Only documents with original signatures will be accepted. Do not send copies or email/fax this application.

Save a copy of the completed application for your files. Upload a copy of the completed signed Certification in the space provided.

Meeting Date: March 26, 2019
Item No: 11.
Department: Finance
Issue: Consent Agenda

Summary:

The attachment amends the FY19 Budget with appropriations as follows:

General: \$43,719 – Donations, Reimbursements, and Forfeitures

Attachments:

Consent Agenda 3-26-19

Recommendations: Approve

BUDGET ADDITIONS FOR 3/26/19

| ORG | OBJECT | DESCRIPTION | DEBIT | CREDIT |
|----------------------------|--------|--|---------------|---------------|
| BUDGET ADDITIONS | | | | |
| General Fund: | | | | |
| 01100909 | 490104 | Advanced/Recovered Costs | | 3,160 |
| 01321102 | 501200 | Fire Department - Overtime | 1,183 | |
| 01321102 | 502100 | Fire Department - Social Security | 73 | |
| 01321102 | 502110 | Fire Department - Medicare | 17 | |
| 01321102 | 502700 | Fire Department - Workers Comp. Ins. | 54 | |
| 01321102 | 505500 | Fire Department - Travel | 125 | |
| 01322105 | 501200 | EMS - Overtime | 1,421 | |
| 01322105 | 502100 | EMS - Social Security | 88 | |
| 01322105 | 502110 | EMS - Medicare | 21 | |
| 01322105 | 502700 | EMS - Workers Comp. Ins. | 65 | |
| 01322105 | 505500 | EMS - Travel | 113 | |
| | | SWVA Incident Mgmt Team Reimbursement | | |
| 01100908 | 480401 | Miscellaneous - Donations/Police | | 75 |
| 01311085 | 506070 | Police Department - Pound Supplies | 75 | |
| | | Donations for Dog Pound Expenses | | |
| 01101917 | 442401 | Categorical Other State - Confiscated Assets | | 2,124 |
| 01311085 | 506078 | Police Department - State Asset Forfeitures | 2,124 | |
| | | Forfeiture Funds | | |
| 01100909 | 490104 | Advanced/Recovered Costs | | 20,814 |
| 01812242 | 506067 | Misc Expense - RADAR Transit Program | 20,814 | |
| | | Reimbursement for fuel | | |
| 01100909 | 490104 | Advanced/Recovered Costs | | 17,546 |
| 01812242 | 506089 | Misc Expense - County Ambulance Fuels | 17,546 | |
| | | Reimbursement for fuel | | |
| Total General Fund: | | | 43,719 | 43,719 |