

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA

Council Chambers – Municipal Building

7:00 pm Closed Session

7:30 pm Regular Session

Tuesday, June 12, 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. Conduct a public hearing for the purpose of receiving names of citizens interested in appointment for two 3-year terms on the Martinsville City School Board, beginning July 1, 2018 and ending June 30, 2021. (10 min.)
2. Hear information from the Town of Bedford and Bedford County regarding the transition of Bedford from city to town. (20 min.)
3. Hear an update from Robert Bencini, Executive Director of West Piedmont Workforce Investment Board. (15 min.)
4. Hear a presentation concerning the planning portion of the process to apply for a Community Development Block Grant in the spring of 2019, from the Commonwealth of Virginia for revitalization of the West Side neighborhood. (15 min.)
5. Consider approval of refunds resulting from verification updates of estimated BPOL tax for 2 local businesses for tax years 2017 and 2016. (10 min.)
6. Consider approval of consent agenda. (2 min.)
7. 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.
8. Comments by members of City Council. (5 minutes)
9. Comments by City Manager. (5 minutes)

Meeting Date: June 12, 2018

Item No: 1.

Department: City Council

Issue: Conduct a public hearing for the purpose of receiving names of citizens interested in appointments for two 3-year terms on the Martinsville City School Board, beginning July 1, 2018 and ending June 30, 2021.

Summary: Only those citizens whose names are brought up during the Public Hearing can be considered for appointment, and appointments cannot be made until seven days after the Public Hearing. Citizens may appear in person, stating their name, address, and interest in the position; or their name, address, and interest may be offered by another individual.

Attachments: Martinsville School Board current listing.

Recommendations: Conduct the Public Hearing and consider scheduling interviews on June 26th, prior to and/or after Council's meeting on that date depending on number of candidates. Candidates selected for the Board appointments will be announced after interviews are completed.

SCHOOL BOARD

SCHOOL BOARD – The School Board is declared a body corporate. In its corporate capacity, it is vested with all the powers and charged with all the duties, obligations, and responsibilities upon school boards by law. It may sue, be sued, contract, be contracted with, and in accordance with the provisions of this title, purchase, take, hold, lease, and convey school property both real and personal. The School Board has the following powers and duties: 1) to make rules for the governance of the schools within its jurisdiction; 2) to determine the curriculum, methods of teaching, methods of administration and governance, and the length of the school term; 3) to employ and dismiss teachers upon the recommendation of the superintendent; 4) to suspend or expel pupils when necessary; 5) to establish such schools as are necessary in the judgement of the Board to so constitute a complete and efficient system; 6) to control and manage funds made available to the Board for the purpose of conducting free public schools; 7) examine all claims for payment and authorize payment; and 8) to submit annually to City Council a budget request.

TERMS: The Board consists of five members serving **three-year** terms appointed by City Council. **School Board members can serve a maximum of three 3-year consecutive terms.**

Meetings are held on the second Monday of each month.

CONTACT: Dr. Zeb Talley, Superintendent, 403-5820, 746 Indian Trail, Martinsville, VA 24112

Name & Address	Initial Appointment	Term Expires	Full Term
Eric Hruza, 707 Mulberry Rd	6/30/16	6/30/19	1
Donna Dillard, 912 Forest Lake Dr. (reappt 6/27/17)	8/24/16	6/30/20	0
Tonya Jones, 752 Stultz Road	6/27/17	6/30/20	0
Sammy Redd, 303 Oakdale Street (appt 1/23/18)	1/23/18	6/30/18	
Joan Montgomery, 807 Corn Tassel Tr.	6/16/15	6/30/18	1

NOTE: If a Board or Commission does not specify number of terms a person can serve, then the number of terms defaults to three terms per a policy adopted by City Council December 11, 1990. (per city attorney 4/26/11) Two exceptions (1) if no one is interested (2) no one qualified has applied, then the person holding the position can serve another term if Council chooses.

Date: June 12, 2018
Item No: 2.
Department: Council/City Manager

Issue: Hear information from the Town of Bedford and Bedford County regarding the transition of Bedford from city to town.

Summary: In July, 2013, the City of Bedford officially transitioned to the Town of Bedford, ending a process that began several years earlier and becoming the third Virginia city to revert to a town.

At Council's meeting on June 12th will be Mr. Bart Warner, Bedford Town Manager and Mr. Carl Boggess, Chairman of the Bedford County Board of Supervisors. Mr. Warner was Bedford's Assistant City Manager and Mr. Boggess was the Bedford County Attorney during the reversion negotiation process. They will provide information regarding the transition and how the change impacted the operation of the local governments.

Attachments: None

Recommendation: None, no action needed by Council.



City Council Agenda Summary

Meeting Date: June 12, 2018

Item No: 3.

Department: City Manager

Issue: Hear an update from Robert Bencini, Executive Director of West Piedmont Workforce Investment Board.

Summary: Robert Bencini will provide an update on West Piedmont WIB's work and activities.

Attachments: None

Recommendations: No action by Council is needed – this item is presented for information purposes.

Date: June 12, 2018

Item No: 4.

Department: Community Development

Issue: Hear a presentation concerning the planning portion of the process to apply for a Community Development Block Grant in the spring of 2019, from the Commonwealth of Virginia for revitalization of the West Side neighborhood.

Summary: In late April, 2018, the City was advised by DHCD of approval of a planning grant for a possible CDBG project in the West End/Fayette Street area. In order to receive the grant, certain activities have to occur prior to July 6, 2018, and one of the activities is to conduct a public meeting to give residents an overview of the proposed project target area. For this particular project, the target area consists of Fayette Street west of North Street, Kings Row, Marshall Street, Top Street, and Wray Street, plus Mitchell, Pine Hall, and Yorkshire Road.

Attachments: None, will distribute handouts at the meeting.

Recommendations: No formal action required.

Meeting Date: June 12, 2018

Item No: 5.

Department: Commissioner of the Revenue, City Treasurer

Issue: Consider approval of refunds resulting from verification updates of estimated BPOL tax for 2 local businesses for tax years 2017 and 2016.

Summary: The Commissioner of the Revenue's office annually verifies and updates BPOL license fees based on federal tax return gross receipts information that is provided to the office by individual business taxpayers. Until the gross receipts can be verified by the federal tax return gross receipts, the reported receipts are considered an estimate. One local business overestimated their gross receipts for the 2016 license year and the other business underwent a name change and has requested a proration of their 2017 licenses for the portion of the year that they operated under the prior name. Business licenses based on gross receipts may be prorated upon the request of a business that ceases operations during a license year and documentation of annual gross receipts attributable to the Martinsville business location for the prorated period.

The city's business license is based on the actual gross receipts that a business had for the prior tax year, or the current year for first year businesses. Corrections to the assessments have been made by the Commissioner of the Revenue's office and forwarded to the City Treasurer. Because the refund amount is over \$2,500, City Council must authorize the City Treasurer to issue the refunds so that the timing of the refund does not negatively impact the city's cash flow.

City of Martinsville Ordinances address updates of estimated business licenses that were not based on a prior year's actual gross receipts. The City's ordinance §11-23(f) provides that there shall be no interest charged or refunded on an adjustment of estimated tax liability to actual liability at the conclusion of the base year. We would not have assessed interest if the taxpayer had underestimated their gross receipts and we updated the assessment based on verification of actual gross receipts. Consequently, the city ordinances provide that we do not refund interest on these types of estimated assessments when they are overestimated.

These refunds are different from other refunds that City Council has authorized in that they did not result due to an appeal or audit on a verified and adjusted actual assessment. The BPOL assessments remained an estimate until they could be verified with actual gross receipts as reported on the businesses' federal tax returns. The necessary federal returns to verify the gross receipts for the businesses were just provided in late May.

The Code of Virginia authorizes the City Treasurer to issue refunds up to \$2,500 without prior authorization of City Council. Because the refund amount is over this limit, City Council must authorize the City Treasurer to issue the refund. Pursuant to City Ordinance §11-23(f) there is no need to calculate interest provided the refund is made within 30 days of the adjustment to reflect actual tax liability, therefore the effective date for both refunds should be prior to July 5, 2018 to avoid any interest calculation.

Attachments: Sample motions authorizing refunds

Recommendations: Authorize City Treasurer to issue two refunds: (1) for \$3,392.33 to a City business for their overestimated 2016 business license and (2) for \$112,375.03 to a prior City business for their prorated 2017 business licenses.

SAMPLE MOTION #1

I move to authorize the City Treasurer to issue a refund of \$3,392.33 in overpaid 2016 business license fees prior to July 5, 2018 to a local business identified in abatement #49990 of the Commissioner of the Revenue Bill Adjustment Report dated June 5, 2018.

SAMPLE MOTION #2

I move to authorize the City Treasurer to issue a refund of \$112,375.03 in overpaid 2017 business license fees prior to July 5, 2018 to a local business identified in abatements #49991, #49992, #49993 and #49994 of the Commissioner of the Revenue Bill Adjustment Report dated June 5, 2018.

**City Council
Agenda Summary**



Meeting Date: June 12, 2018

Item No: 6.

Department: Finance

Issue: Consent Agenda

Summary:

The attachment amends the FY18 Budget with appropriations in the following funds:

General Fund: \$36,083 - Reimbursements; Sale of Surplus
Telecom Fund: \$16,078 - Reimbursement

Attachments:

Consent Agenda 6-12-18

Recommendations: Approve

BUDGET ADDITIONS FOR 6/12/18

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY18				
<u>BUDGET ADDITIONS</u>				
<u>General Fund:</u>				
01100909	490104	Advanced/Recovered Costs		29,127
01413147	501200	Traffic Signals - Overtime wages	937	
01413147	503310	Traffic Signals - Prof Serv - Repairs & Maintenance	1,630	
01413147	506010	Traffic Signals - Signal Maintenance	26,560	
		Insurance Reimbursement from wind storm damage		
01100905	450209	Sale of Salvage/Surplus		3,862
01311085	506008	Police Dept. - Vehicle Equipment & Maintenance	3,862	
		GovDeals sale of police vehicle		
01100905	450209	Sale of Salvage/Surplus		1,309
01311085	506008	Police Dept. - Vehicle Equipment & Maintenance	1,309	
		GovDeals sale of police vehicle		
01100909	490104	Advanced/Recovered Costs		1,785
01311085	506008	Police Dept. - Vehicle Equipment & Maintenance	1,785	
		Insurance Reimbursement from damaged vehicle		
Total General Fund:			36,083	36,083
<u>Telecom Fund:</u>				
11100909	490104	Advanced/Recovered Costs		16,078
11315308	506007	Telecom - Repair & Maintenance Supplies	16,078	
		Insurance Reimbursement from wind storm damage		
Total Telecom Fund			16,078	16,078