

September 23, 2014

The regular meeting of the Council of the City of Martinsville, Virginia, was held on September 23, 2014, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kim Adkins presiding. Council Members present included: Mayor Kim Adkins, Vice Mayor Gene Teague, Sharon Brooks Hodge, Mark Stroud and Danny Turner. Staff present included: Leon Towarnicki, City Manager, Linda Conover, Sean Dunn and Bobby Phillips.

Following the invocation by Council Member Stroud and Pledge to the American Flag, the Mayor welcomed everyone to the meeting.

Minutes: On a motion by Sharon Brooks Hodge, seconded by Mark Stroud, with a 5-0 vote, Council approved the minutes of August 12, 2014 meeting.

Workforce Investment Board update: Lisa Fultz presented an update reporting on data regarding the Career Readiness Certification program. Ms. Fultz introduced Danielle Johnson, Project Director for Youth on the Move program, who briefed Council on the program.

Resolution-Emergency Operations Plan: Safety Officer, Bob Phillips, explained the updated Emergency Operations Procedure document and the need for the resolution. He indicated there were a few minor changes from the 2008 plan: contact information was updated, formatting was changed slightly to make the document more readable and minor changes made to match state changes. Vice Mayor Teague inquired if the document addressed anything related to a water supply emergency to which Mr. Phillips responded, it currently does not, but it may be possible to include that in future updates. Council Member Stroud inquired on status of the Leatherwood pump station and asked for an update at a later meeting. The following resolution was approved with a motion by Gene Teague, seconded by Mark Stroud with a 5-0 vote:

WHEREAS, there exist many dangers of many types, including man-made disasters, natural disasters, and possible hostile actions of an unknown enemy; and

WHEREAS, the safety and protection of the citizens and property is of foremost concern to the City Council of the City of Martinsville, Virginia; and

WHEREAS, the City Council desires and the Commonwealth of Virginia statutes require the adoption of appropriate planned protective measures and

WHEREAS, by Resolution adopted on September 28, 2010, City Council adopted the current City of Martinsville Basic Emergency Operations Plan and now it has become necessary to update said plan; now, therefore,

BE IT RESOLVED by the Council of the City of Martinsville, Virginia, in regular session assembled September 23, 2014, that said Council does hereby adopt the updated City of Martinsville Basic Emergency Operations Plan.


Kim Adkins
Mayor

Overview of September 22, 2014 Druid Hills/Uptown City Council Neighborhood meeting and tour:

Mayor Adkins gave an overview of citizen concerns expressed at the September 22, 2014 Neighborhood meeting and recapped the neighborhood meeting held that evening at NCI, noting that attendance was good. Mayor Adkins commented on issues brought up at the neighborhood meeting and noted that some responses were provided at the meeting and staff will review and investigate the remaining items. Mr. Towarnicki noted that that a list of issues brought up at the meeting has been compiled and staff will provide responses to those issues and the issues/notes will be included as part of the minutes of that neighborhood meeting. Vice Mayor Teague thanked staff for the written recap. Council Member Hodge inquired if there could be a process to track issues brought up at neighborhood meetings with ability to search by name, date, area, complaint

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type, etc., similar to process currently being used with property maintenance and staff will investigate. Mr. William Eggleston, 1409 Roundabout Road spoke, inquiring about the status of several houses on Roundabout Road that he thought were slated for demolition. Staff will investigate and respond to Mr. Eggleston.

Ordinance-second reading regarding BPOL: Mayor Adkins provided a brief summary. As part of its 2014 budgeting process, Council approved reform of the city's Business Professional and Occupational Licensing (BPOL) to align the city's gross receipts threshold amount with that utilized by Henry County. Henry County currently requires a \$30 license fee for BPOL gross receipts under \$100,000. At the July 22, 2014 Council meeting, Council also directed the addition of a second threshold for a no-fee license for BPOL gross receipts under \$10,000. Businesses with gross receipts over \$100,000 will continue to pay the gross receipts tax at the current established rates. On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with the following 5-0 recorded vote, Adkins, aye; Teague, aye; Stroud, aye; Hodge, aye; Turner, aye; Council approved the following ordinance on second reading:

<p style="text-align: center;">CITY OF MARTINSVILLE, VIRGINIA ORDINANCE NO. 2014-4 AMENDMENT OF BPOL RATES AND REGULATIONS</p> <p>BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session assembled on September 23, 2014, that Article II of Chapter 11, Section 11-32 of the City Code be amended and reenacted as follows. The effective date of this amendment and reenactment shall be January 1, 2015.</p> <p>Sec. 11-32. Minimum Tax Rate of License taxes.</p> <p>(A) Effective January 1, 2015 and not withstanding any other provision to the contrary, businesses required to be licensed under this article shall not annual gross receipts of ten thousand dollars (\$10,000) or less shall pay no fee. However, such businesses shall file an annual business license application as required elsewhere in this article and shall be subject to all other provisions of this article. The commissioner of the revenue shall review the application and issue a business license if the application is in order.</p> <p>(B) Every business required to obtain a license under this article shall be assessed and required to pay annually a minimum license tax of thirty dollars (\$30.00) for any business whose gross receipts are more than ten thousand dollars (\$10,000) but are not more than one hundred thousand dollars (\$100,000) or less.</p> <p>(C) Every business required to obtain a license under this article with gross receipts over one hundred thousand dollars (\$100,000) during the preceding calendar year shall be assessed and required to pay an annual license tax on all gross receipts as set forth below.</p> <p>Every business required to obtain a license under this article shall be assessed and required to pay annually a license tax of thirty dollars (\$30.00) or the tax set forth below, whichever is greater:</p> <ol style="list-style-type: none"> (1) For contractors and persons contracting for their own account for sale, ten cents (\$0.10) per one hundred dollars (\$100.00) of gross receipts. (2) For retailers, twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts. (3) For real estate and professional services and financial services other than licensees under the Consumer Finance Act, chapter 6 of title 6.1 of the Code of Virginia (section 6.1-244 et seq.), fifty-eight cents (\$0.58) per one hundred dollars (\$100.00) of gross receipts. (4) For licensees under the Consumer Finance Act, chapter 6 of title 6.1 of the Code of Virginia (section 6.1-244 et seq.), twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts. (5) For commission merchants and for repair, personal and business services and for all other businesses not specifically listed or exempted in this article or otherwise by law, thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts. <p>(D) Except as may be specifically otherwise provided in ordinance or other law, the annual license tax imposed hereunder shall be:</p>	<ol style="list-style-type: none"> (13) For wholesalers, including peddlers at wholesale, five cents (\$0.05) per one hundred dollars (\$100.00) of purchases. (17) For carnivals, circuses and speedways, one hundred fifty dollars (\$150.00) for each day a performance is held in this city. (46) For fortune-tellers, clairvoyants and practitioners of clairvoyance or astrology, one thousand dollars (\$1,000.00) per year. (49) <ol style="list-style-type: none"> a. For itinerant merchants or peddlers, not exempt under section 11-33 or 11-34, fifty dollars (\$50.00) per year. b. For itinerant mechanics or peddlers conducting business at the City of Martinsville Farmers Market, bounded by Steel Church, Main, and Move Streets, on such days and at such hours designated as Market Days by the entity designated by the city as the manager of the market, five dollars (\$5.00) per year. (48) For photographers who have no regularly established place of business in Virginia, as defined in section 58.1-3227 of the Code of Virginia, thirty dollars (\$30.00) per year. (45) For savings institutions and state chartered credit unions, which have their main office in the city, fifty dollars (\$50.00) per year. (2) For direct sellers, as defined in section 58.1-3719.1 of the Code of Virginia, with total annual sales in excess of four thousand dollars (\$4,000.00), twenty cents (\$0.20) per one hundred dollars (\$100.00) of gross receipts from total annual retail sales or five cents (\$0.05) per one hundred dollars (\$100.00) of gross receipts from total annual wholesale sales, whichever is applicable. (44) For any person, firm, partnership or corporation engaged in the business of promoting, managing, or organizing promotional shows or sales, subject to the provisions of section 11-33, twenty cents (\$0.20) per one hundred dollars (\$100.00) of the total gross receipts from all sales of goods or merchandise sold by individuals participating in all such promotional shows or sales. (44) For any person, firm, partnership or corporation engaged in the business of furnishing heat, light, and power, whether by means of electricity or gas, in the city, one-half of one per cent of the gross annual receipts accruing from sales to ultimate consumers in the city, provided, however, that receipts from charges for long distance telephone calls shall not be considered receipts of such business in the city. (15) For any telegraph or telephone company doing business in the city, one-half of one per cent of the gross annual receipts accruing from sales to ultimate consumers in the city, provided, however, that receipts from charges for long distance telephone calls shall not be considered receipts of such business in the city. 	<p>(44) For amusement operators operating ten (10) or more coin-operated amusement machines located in the city, two hundred dollars (\$200.00) per year; for amusement operators operating less than ten (10) coin-operated amusement machines located in the city, one hundred seventy-five dollars (\$175.00) per year, and in addition, amusement operators shall also pay ANNUAL THE GROSS RECEIPTS ACTUALLY RECEIVED BY EACH OPERATOR FROM SAID OPERATED MACHINES OR DEVICES OPERATED IN THE CITY. THE GROSS RECEIPTS TAX PAID BY AMUSEMENT OPERATORS SHALL BE: thirty-six cents (\$0.36) per one hundred dollars (\$100.00) of gross receipts from the preceding year, where such gross receipts exceed one hundred thousand dollars (\$100,000), only on the share of the receipts actually received by each operator from such machines operated in the city, or thirty dollars (\$30.00), whichever is greater, and in addition, each amusement operator shall furnish to the commissioner of revenue a complete list of all machines on location located in the city and the address of each location on or before January 31 of each year, and each machine shall have conspicuously located thereon a decal, sticker, or other adhesive label, no less than one by two (1 x 2) inches in size, clearly denoting the operator's name and address.</p> <p>(THE NO. 89-12, 8-11-162, 11-29-96 CH. NO. 37, 1-28-07, CH. NO. 2007-1, 4-9-2012)</p> <p>Attest:</p> <p><i>Brenda P. Williams</i> Brenda Williams, Clerk of Council</p> <p>September 23, 2014 Date Adopted</p> <p>January 1, 2015 Date Effective</p>
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Review outside agency reports: Council acknowledged receipt of reports from outside agencies. Council was notified of the need to prepare such report, Linda indicated they were advised by letter shortly after approval of the budget when they are notified regarding status of their request for financial assistance. Council would like to continue to receive the reports but Teague noted some office are small and limited in staff, and may have difficulty in generating the reports in a timely manner.

Finance Report: Finance Director Linda Conover presented the finance report. She noted the reports this early in the fiscal year are often of not much value due to the manner in which early FY one-time expenditures are made and the lag in receipt of revenue. FY15 – Revenues & Expenditures through August 31, 2014--Exclusive of School and Special Revenue funds, actual revenues were \$6,449,595 and actual expenditures were \$9,581,281, typical for this early in the new fiscal year due mostly to annual payments, semi-annual debt service, initial encumbering of funds for projects, and prior fiscal year adjustments. Overall Utility Funds' revenues exceeded expenses by \$541,766 for the first two months. The final audit process for FY14 will begin the week of September 29th. Final figures will be presented as soon as possible after

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completion. After Council discussion and questions, a motion was made by Mark Stroud, seconded by Danny Turner, with 5-0 vote to approve as presented.

Consent agenda: On a motion by Gene Teague, seconded by Sharon Brooks Hodge, with a 5-0 vote, Council approved the following consent agenda:

BUDGET ADDITIONS FOR 9/23/2014				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY15				
General Fund:				
01100909	490104	Advance/Recovered Costs		1,927
01331108	501300	Sheriff/Corrections - Part-time & Temporary Wages	1,400	
01331108	502100	Sheriff/Corrections - Social Security	87	
01331108	502110	Sheriff/Corrections - Medicare	20	
01331108	506008	Sheriff/Corrections - Vehicle Equipment & Maint.	280	
01331110	506200	Sheriff/Annex - Prisoner Allowance	140	
		Reimbursement from Henry County for litter pickup for August		
Total General Fund:			1,927	1,927
Refuse Fund:				
09100908	482805	Misc Revenue - Carbon Credit Sales		17,507
09425302	508220	Landfill - Physical Plant Expansion	17,507	
		Unanticipated Carbon Credit Sales		
Total Refuse Fund:			17,507	17,507

Business from floor: none

Council comments: Stroud-commented on good turnout at the neighborhood meeting held at NCI and suggested additional meetings there; commending staff on good job addressing maintenance complaints; asked for update on Leatherwood pump station; Turner—commented there are many good, positive things going on in the City

City Manager comments: noted that preliminary information had been received from Mattern & Craig regarding a traffic signal investigation at the intersection of Liberty Street and Greyson Street and the findings did not indicate traffic engineering conditions typically considered in signal installation reviews were met. Conditions may change in the future that may impact traffic along Liberty/Greyson and the subject can always be reviewed again, should conditions change. Council Member Hodge inquired if the lights at the Liberty/Clearview intersection and the new light at American National Bank could be coordinated in such a manner so as to provide a break in the flow of traffic that might help the Greyson St. intersection. Staff will investigate. He also reported that information recently received from VA First Cities indicated the City's share of the \$30 million statewide reduction in local aid for FY15 and FY16 is approximately \$90,000, and that was an amount manageable within the current budget through savings and/or other adjustments.

There being no further business, the meeting adjourned at 8:50 pm.

Brenda Prillaman
Clerk of Council

Kim Adkins
Mayor