

October 14, 2008

The regular meeting of the Council of the City of Martinsville, Virginia, was held on October 14, 2008, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kathy Lawson presiding. Council Members present included: Mayor Kathy Lawson, Vice Mayor Kimble Reynolds, Gene Teague, Mark Stroud, Sr., and Danny Turner. Staff present included: Clarence Monday, City Manager, Leon Towarnicki, Brenda Prillaman, Eric Monday, Linda Conover, Wayne Knox, Mike Rogers, Susan McCulloch, Lisa Holiday, Donna Odell, and Mary Kay Washington.

Mayor Lawson recognized and welcomed Taylor Lawson, a local Boy Scout attending the City's Council meeting to earn his Citizenship in Community badge. Following the invocation by Council Member Danny Turner and Pledge to the American Flag, Mayor Lawson welcomed everyone to the meeting.

On a motion by Danny Turner, seconded by Gene Teague, Council approved the minutes of meetings September 23, 2008 and September 25, 2008. Vice Mayor Reynolds abstained from voting on the September 23, 2008 minutes.

City Manager Clarence Monday briefed Council on the recent award received by the City of Martinsville Finance Department. He explained that the award is the Certificate of Achievement for Excellence in Financial Reporting for the City of Martinsville by the Government Finance Officers Association of the United States and Canada (GFOA) for its FY07 Comprehensive Annual Financial Report. The certificate is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management. This achievement was attained through the collective efforts of the Finance Department staff, the full cooperation of other city departments and our auditing firm, Robinson, Farmer & Cox. The GFOA is a nonprofit professional association serving approximately 17,000 government finance professionals. Mr. Monday stated he wanted to assure the citizens that their tax dollars are managed with a careful eye. Mr. Monday thanked the Finance Department personnel for a job well done as the department is accountable for about \$90 million of taxpayer money each year and Finance Department employees operate with very strict internal controls, a very strong work ethic, and attention to detail. Mayor Lawson presented the award to Finance Department personnel present including: Clarence Monday, who serves as Finance Director as well as City Manager, Donna Odell, Linda Conover, Lisa Holiday, and Mary Kay Washington.

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Mark Heath of Martinsville-Henry County Economic Development Corporation briefed Council on activities of the EDC. He pointed out that Uptown Martinsville is an economic engine and should be considered the city's industrial park as an area for potential growth. Points made included: new shell building deal is in place and has sparked the interest of a prospect; EDC has contracted for master plans for the Bryant property and the Roma property; water and sewer excess capacities are drivers for our community; efforts going forward for retail and tourism Uptown; EDC in process of interviewing for tourism director; Canadians from Martensville, Saskatchewan, Canada will be in our community this weekend for the races; EDC is meeting with Jerry Gwaltney, former City Manager of Danville, for ideas on retail and commercial development; Gene Teague pointed out we need to develop strategies to develop a pool of cash that small businesses will need for capital.

Wayne Knox briefed Council on Uptown growth and development plans as well as introducing Susan McCulloch, the new City Planner. Mr. Knox pointed out that Susan's duties will include assisting in ongoing efforts to revitalize our Uptown community. Other points made included: looking into a program similar to Renovate Roanoke; researching incentives that will work here; working to make sure public is educated on new enterprise zone areas to make sure all incentives are taken advantage of; field trips will be conducted in the near future to other successful communities such as Harrisonburg, Staunton, and Waynesboro; pointed out that Architectural Review Board is not overly strict, but wants to preserve integrity of Uptown properties;

Wayne Knox then briefed Council on tree planting at Academy Place which is currently in progress. Crepe Myrtles are being planted on Fayette Street thanks to efforts of Gateway Streetscape Foundation.

Council reviewed outside agency quarterly reports submitted by agencies that received FY09 city funding. Two agencies, Anchor and Pittsylvania County Community Action, were commended by Council for the work they are doing, how they are saving the city money and their progress report. Council member Teague asked that Council consider revising the reporting requirements of outside agencies receiving funding to allow them to make reports to Council in October and February instead of four times a year. Mayor Lawson said Council can discuss this at their next worksession.

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After comments from Wayne Knox, Council agreed to set a public hearing for October 28 to abandon a strip of land retained by the City in front of 800 N. Memorial Boulevard, 805 N. Memorial Boulevard, and 810 N. Memorial Boulevard, as shown on Tax Map 30. This excess right of way was acquired when Memorial Boulevard was constructed and is no longer needed by the City. In the process of combining several small parcels to clear up building encroachments across lot lines, the owners wish to also purchase this right of way between their properties and the street, to be included with the appropriate lots on a new survey.

On a motion by Gene Teague, seconded by Danny Turner, Council approved on second reading, the following ordinance to amend the Zoning ordinance to amend Section VII. General Sign Regulations, Paragraph K. Temporary Display, of the Zoning Ordinance, to allow a temporary sign to be displayed for sixty continuous days with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Teague, aye; Mr. Stroud, aye; and Mr. Turner, aye:

Ordinance No.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN SECTIONS OF THE ZONING ORDINANCE (APPENDIX B), OF THE CODE OF THE CITY OF MARTINSVILLE, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARTINSVILLE, VIRGINIA, in regular session assembled October 14, 2008, that the City of Martinsville Zoning Ordinance Section VII.K., General Sign Regulations (Appendix B) be amended, revised, and reordained to read as follows:

K. Temporary display.

The use of trailer-mounted signs (with or without wheels), banners, streamers, pennants and/or animated devices suspended from ropes, cords or wires shall be permitted only upon issuance of a permit by the zoning administrator and provided such use is temporary in that it is nonrecurring and not part of a continuous advertising or decorative program. This permit may be issued for a period not exceeding sixty (60) days. At the sole discretion of the zoning administrator a temporary sign may be extended for a period not to exceed thirty (30) days, by the issuance of another permit. If a temporary sign is not removed by the expiration of the time limitation, the zoning administrator may remove the sign or display and charge the cost of the removal to the individual applicant or responsible enterprise. Such use shall not overhang the public rights-of-way and shall not be in violation of any other ordinance. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

On a motion by Gene Teague, seconded by Kimble Reynolds, with a 5-0 vote, Council approved the following consent agenda to accept and appropriate funds in the General Fund FY09--reappropriations:

BUDGET ADDITIONS FOR 10/14/2008 - Re-appropriations				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY09</u>				
<u>GENERAL FUND</u>				
01311085	501203	Police Dept - ABC Grant Overtime	2,296	
01311085	501206	Police Dept - DMV Grant Overtime	15,310	
01311085	506078	Police Dept - State Asset Forfeiture	149	
01311085	506079	Police Dept - Federal Asset Forfeiture	79,594	
01311085	506118	Police Dept - Local Asset Forfeiture	523	
01221082	505500	Commonwealth's Attorney - Travel	6,187	

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01221082	506105	Commonwealth's Attorney - State Asset Forfeiture	2,073	
01221082	506118	Commonwealth's Attorney - Local Asset Forfeiture	524	
01321102	506110	Fire Dept - State - Fire Programs	39,442	
01322105	506114	EMS - Four-for-Life Program	19,205	
01534440	503150	Indoor Plumbing Rehab - Prof Serv - Legal	600	
01534440	503191	Indoor Plumbing Rehab - Prof Serv - Contractors	47,623	
01534440	503194	Indoor Plumbing Rehab - Intake/Verfi/Education	3,000	
01534440	503600	Indoor Plumbing Rehab - Advertising	300	
01534440	506300	Indoor Plumbing Rehab - Demolition	13,355	
		(On-going programs - carries forward year-to-year)		
01216076	508208	Circuit Court Clerk - Tech Trust/ADP Software	63,576	
01122028	503214	Communications - Prof Serv - Web Host/Maint	13,465	
01713211	508220	Park Maintenance - Physical Plant Expansion	20,000	
01331108	505540	Sheriff - Corrections - Training	11,800	
01331108	506010	Sheriff - Corrections - Radios & Weapons	3,000	
01331108	506104	Sheriff - Corrections - Non-Capital Equipment	2,000	
01413145	503185	Street Maintenance - Paving	157,137	
01413151	508220	Thorofare Construction - Physical Plant Expansion	416,539	
01413151	503140	Thorofare Construction - Prof Serv - Engineering	47,946	
		(On-going projects not yet completed)		
01103938	462101	Contribution from Fund Balance		965,644
Total General Fund:			965,644	965,644
<u>CAPITAL RESERVE FUND</u>				
16575365	508075	Police Dept- COPS Technology Grant	15,221	
		(On-going project not yet completed - in-car cameras)		
16575365	508051	Vehicles - Utility Billing	3,010	
		(supplement FY09 budget-state not honoring contract price)		
16103938	462101	Contribution from Fund Balance		18,231
Total Capital Reserve Fund:			18,231	18,231
<u>WATER FUND</u>				
12541311	508220	Water Plant - Physical Plant Expansion	12,000	
12542312	508220	Reservoir - Physical Plant Expansion	12,000	
		(On-going projects not yet completed)		
12103938	462101	Contribution from Fund Balance		24,000
Total Water Fund:			24,000	24,000
<u>SEWER FUND</u>				
13550325	508220	Wastewater Plant - Physical Plant Expansion	53,883	
		(On-going project not yet completed)		
13103938	462101	Contribution from Fund Balance		53,883
Total Sewer Fund:			53,883	53,883
<u>ELECTRIC FUND:</u>				
14565340	506900	Electric Dept - General Expense/Disaster Recovery	304,145	
14564339	508205	Electric Dept - Elec Construction/Vehicle	140,425	
14563338	506007	Electric Dept - Elec Maint/Sub-station Maintenance	3,285	
14563338	508220	Electric Dept - Physical Plant Expansion	20,000	
		(On-going projects not yet completed)		
14103938	462101	Contribution from Fund Balance		467,855
Total Electric Fund:			467,855	467,855
<u>CDBG FUND</u>				
47829375	503189	CDBG - Relocation	34,395	
47829375	506322	CDBG - Gateway Improvements	15,609	

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47829375	506323	CDBG - Gateway Information	30,000	
47829375	506420	CDBG - Overhead Device Management	20,000	
47829375	506702	CDBG - Sign Expense	12,024	
		(On-going program - carries from year-to-year)		
47103938	462101	Contribution from Fund Balance		112,028
Total CDBG Fund:			112,028	112,028
<u>Housing Choice Fund</u>				
49535280	503300	Housing Choice - Software Maintenance	8,233	
		(On-going project not yet completed)		
49103938	462101	Contribution from Fund Balance		8,233
Total Housing Choice Fund:			8,233	8,233
<u>SCHOOL FUND</u>				
65001050	561121	NASA Program - Teachers Salaries & Wages	60,000	
65001050	561151	NASA Program - Teachers Aides Salaries & Wages	10,000	
65001050	562100	NASA Program - Social Security	4,340	
65001050	562150	NASA Program - Medicare	1,016	
65001050	562210	NASA Program - Retirement Payments	10,206	
65001050	562300	NASA Program - Group Medical Insurance	5,088	
65001050	562400	NASA Program - State Life Insurance	770	
65001050	562520	NASA Program - Long-term Disability Insurance	70	
65001050	565503	NASA Program - Travel	4,208	
65001050	566001	NASA Program - General Supplies	10,000	
65001050	566013	NASA Program - Instructional Materials & Supplies	10,000	
65001050	566014	NASA Program - Other Operating Supplies	2,000	
82001031	561120	Harvest Foundation - Salaries & Wages	10,000	
82001031	562100	Harvest Foundation - Social Security	620	
82001031	562150	Harvest Foundation - Medicare	145	
82001031	565503	Harvest Foundation - Travel	7,500	
82001031	566027	Harvest Foundation - In-Service	7,500	
82001031	566013	Harvest Foundation - Instructional Materials & Supplies	7,130	
82001039	561153	Harvest Sp Ed Lit - Teacher Supplement	4,084	
82001039	562150	Harvest Sp Ed Lit - Medicare	41	
82001039	563140	Harvest Sp Ed Lit - Contracted Services	300	
82001039	566013	Harvest Sp Ed Lit - Instructional Materials & Supplies	600	
82001039	566027	Harvest Sp Ed Lit - In-Service	102	
85001009	563140	Project Healthnet - Contracted Services	44,922	
		(On-going programs - carries from year-to-year)		
75001023	566007	High School - Building Repair & Maintenance	100,000	
		(Council approved at 8/26/08 meeting - stadium lights)		
18103938	462101	Contribution from Fund Balance		300,642
Total School Fund:			300,642	300,642
GRAND TOTAL ALL RE-APPROPRIATIONS:			1,950,516	1,950,516

On a motion by Gene Teague, seconded by Danny Turner, with a 5-0 vote, Council approved the following consent agenda to accept and appropriate funds in the General Fund FY09:

BUDGET ADDITIONS FOR 10/14/2008

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<u>FY09</u>				
<u>GENERAL FUND</u>				

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01102926	436410	Categorical Federal - Bulletproof Vest Grant		3,170
01217078	506011	Sheriff - Courts - Uniforms & Apparel	1,585	
01331108	506011	Sheriff - Corrections - Uniforms & Apparel (vest grant from Dept of Justice)	1,585	
01101917	442701	Categorical Other State - Fire Programs		4,952
01321102	506110	Fire Department - State Grant - Fire Programs (additional funding rec'd)	4,952	
01101917	442402	Categorical Other State - Confiscated Assets - C Atty		583
01221082	506105	Comm Atty - Conf Assets State	583	
01101917	442401	Categorical Other State - Confiscated Assets - Police		1,748
01311085	506078	Police Dept - Conf Assets State	1,748	
01100909	490104	Advance - Recovered Costs		9,749
01321102	506008	Fire Dept - Vehicle Equip & Maint (insurance reimbursement for firetruck damage)	9,749	
Total General Fund:			20,202	20,202
CAPITAL RESERVE FUND				
16102926	436410	Categorical Federal - Bulletproof Vest Grant		4,370
16572362	508075	Tools & Equipment - Police Department (vest grant from Dept of Justice)	4,370	
Total Capital Reserve Fund:			4,370	4,370

Council had discussion regarding revising the zoning ordinance Section XV. Off Street Parking & Loading due to questions that have arisen as to definition of front yard and whether the driveway is excluded as part of the front yard. Also, there have been questions about overnight parking of large vehicles. Council agreed to refer this issue back to the Planning Commission for their review and recommendation.

Comments from City Council: Turner—stated it might be time to look at consolidation of city/county schools; Reynolds—expressed thanks to community for their support in his father’s recent death; Lawson—at Council’s next meeting, Council will discuss appointing a green committee, reminded citizens Oct. 25 is Hazardous Waste Day and encouraged citizens to participate, Council will need to schedule another work session for continued work on goals, some of the trees Uptown are taking over the street lights and need to be trimmed back, and five will be attending the VML meeting next week.

Comments from City Manager: The City Manager reminded citizens that with cold weather coming, they should look at ways to cut energy costs and that the city Electric Department will do a free energy audit to offer tips to citizens on ways to cut energy costs; the city has received a settlement of \$51,514.44 regarding the Carolina Transformer class action suit—the City had originally incurred \$150,000+ in settlement costs and due to diligence on the part of the City Attorney, the city was able

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to receive this pro rata share of the class action settlement; he reported city staff is working to evaluate how the budget cuts from the governor will affect city funds and once a concrete amount is reached, that information will be shared with Council.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Gene Teague, seconded by Danny Turner, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Teague, aye; Mr. Stroud, aye; and Mr. Turner, aye, Council convened in Closed Session, for the purpose of discussing the following matter: (A) A personnel matter as authorized by Subsection 1. (B) A prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community as authorized by Subsection 5. (C) Appointments to Boards and Commissions as authorized by Subsection 1.

At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during said Session. On a motion by Gene Teague, seconded by Kimble Reynolds, with the following 5-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Teague, aye; Mr. Stroud, aye; and Mr. Turner, aye, Council returned to Open Session.

Council took the following action: On a motion by Gene Teague, seconded by Kimble Reynolds, on a 4-0 vote with Mayor Kathy Lawson abstaining, Council appointed Ralph Lawson, 909 Barrows Mill Road, and re-appointed James R. McGarry, 720 Grattan Road, to four-year terms on the Southern Virginia Recreational Facilities Authority with terms expiring 10/31/12.

There being no further business, Mayor Lawson adjourned the meeting at 10:05 PM.

Clarence C. Monday
Clerk of Council

Kathy C. Lawson
Mayor