

October 28, 2008

The regular meeting of the Council of the City of Martinsville, Virginia, was held on October 28, 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, Mark Stroud, Sr., and Danny Turner. Council Member Gene Teague was absent. Staff present included: Clarence Monday, City Manager, Leon Towarnicki, Brenda Prillaman, Eric Monday, Linda Conover, Wayne Knox, Robert Ramsey, Susan McCulloch, and Chris Morris.

Following the invocation by Mayor Kathy Lawson and Pledge to the American Flag, Mayor Lawson welcomed everyone to the meeting.

On a motion by Kimble Reynolds, seconded by Danny Turner, Council approved with a 4-0 vote, the minutes of meetings October 9, 2008 and October 14, 2008.

After comments from Wayne Knox, Mayor Lawson opened the public hearing 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. There being no comments from the public, Mayor Lawson closed the public hearing. On a motion by Kimble Reynolds, seconded by Mark Stroud, Council approved the ordinance, on the first reading, with the following 4-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; and Mr. Turner, aye, to abandon the strip of land as described above.

Council considered endorsing the Martinsville Uptown Revitalization Association's Retail Market Plan which was previously explained to Council at their September 23, 2008 meeting. John Scott introduced the new Executive Director of MURA, Leigh Probst and gave a brief overview of the plan. After lengthy discussion and on a motion by Mark Stroud, seconded by Danny Turner, Council agreed with a 4-0 vote to adopt the concept of the MURA plan. Points made during the discussion included: MURA's plan is right in step with Council's goals and objectives for Uptown development; several communities were suggested for staff to visit for Uptown development ideas including: Culpeper, Chase City, and South Boston; Susan indicated staff is already planning to visit the Waynesboro, Staunton, Harrisonburg

October 28, 2008

areas; discussion on three anchors for Uptown including the arena, the museum, and the New College; discussion on two way traffic vs. one way streets Uptown; discussion of EDC involvement in Uptown development; Wi-Fi availability Uptown would be a big plus; promoting development of residential housing Uptown.

Council heard the monthly finance report given by Budget Analyst Linda Conover as follows:

**Comparison of Revenues & Expenditures for 1<sup>st</sup> Quarter FY09**

Through the end of September 2008, the first quarter of Fiscal Year 2009, our revenues exceeded the anticipated budget by \$997,840. None of the major funds fell short of their anticipated goals at this time, partly due to increases in some unanticipated revenues, early payment of real estate taxes due in the second quarter, and the standard higher summer utility billings. Future reports may reflect a leveling-off of higher than anticipated revenues.

Overall expenditures were \$94,383 less than anticipated for the first quarter. The utility funds deviated from their anticipated budgets as follows: Water - \$7,560; Sewer - \$375,280; and Electric - \$134,359. These amounts are due to the continuation of Fiscal Year 2008 projects. However, with Council's approval at their October 14<sup>th</sup> meeting of the re-appropriation of funds from Fiscal Year 2008 into Fiscal Year 2009, the anticipated budgets will align with actual expenditures. These adjustments should be reflected in future reports. Continuing efforts by all departments to be conservative in their purchasing practices is reflected in the lower than anticipated expenses.

**Projected Fund Balance – Fiscal Year 2008**

The annual audit was conducted by Robinson Farmer Cox Associates the week of September 29<sup>th</sup>. Based on the figures we now have, the fund balances for Fiscal Year 2008 increased by \$2,500,946 for a total of \$16,695,882. After all re-appropriations were considered, the total growth for the fiscal year was \$550,430 resulting in total ending fund balances of \$14,745,366. With that being said, the final actual figure could vary slightly in the Comprehensive Annual Financial Report as submitted by the auditors, which is currently being prepared. After the audit's completion, the final figures will be provided to Council.

Council comments regarding the monthly finance report included: report shows the city is being frugal in expenditures and the government is operating effectively and efficiently; the City Manager responded to question as to when city will realize the loss in the Water Dept. due to new water lines opening and he said it will begin with this quarter and the Water Dept. will be watching expenses closely to offset the loss; the City Manager will follow up with Treasurer regarding Council Member Turner's question on the increased amount on delinquent taxes.

On a motion by Kimble Reynolds, seconded by Danny Turner, with a 4-0 vote, Council approved the following consent agenda to accept and appropriate funds in the General Fund and School Fund FY09:

**BUDGET ADDITIONS FOR 10/28/2008**

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b><u>FY09</u></b>				
<b><u>GENERAL FUND</u></b>				
01101918	443310	Grants - State - DMV Grant - Police Dept.		7,411
01311085	501206	Police Dept. - Overtime - DMV (DMV grant for police overtime)	7,411	
01100909	490801	Recovered Costs - Senior Citizens		1,660
01714212	506016	Senior Citizens - Program Supplies (Bingo & trip receipts)	1,660	
<b>Total General Fund:</b>			<b>9,071</b>	<b>9,071</b>
<b><u>SCHOOL FUND</u></b>				
18103919	443130	Private Grant - Harvest Foundation		75,000
82001031	561120	Div. Wide Harvest - Salaries & Wages	63,154	
82001031	565503	Div. Wide Harvest - Travel	11,846	

October 28, 2008

18103908	418286	Miscellaneous Revenue - E-rate Reimbursement		19,812
85001040	568209	Technology - E-rate ADP Equipment	19,812	
18100909	490104	Advance/Recovered Costs		7,019
71001001	561153	HS Regular Instruction - Teacher Supplement	7,019	
18101917	418281	Categorical Other State - DMS Reimbursement		68,059
82001002	565750	Div. Wide - Special Ed. - Spec. Ed. Related Services	68,059	
<b>Total School Fund:</b>			<b>169,890</b>	<b>169,890</b>

Chris Morris presented the following report to Council on timbering options for surplus city property along Smith Lake Road and Forest Lake Drive:

Staff met with a Department of Forestry representative to inspect the tracts. The report concluded that of the 4 main tracts only Tract A has reached maturity and can be harvested. Tracts C and D have not quite reached maturity and recommendations are to wait 10 years and reevaluate. Tract B is located in the flood plain and should be maintained as a streamside management zone. Although the report does not include an estimate on the worth of the timber on Tract A, consisting of 3.92 acres, a ball-park cost puts the value of the timber at \$1000 per acre. A survey of the tract would be required prior to harvesting, and would cost approximately \$1000, resulting in net revenues of only \$3000.

Council comments regarding timbering options included: firewood could be used for needy families for heating; land should replenish itself within a few years; alternative uses such as hiking trails could be pursued; not near residential area and should not cause any disturbance to citizens. Council thanked Chris for his report and took no action.

Mayor Lawson asked that Council consider appointing a Green Committee to assess the areas of opportunity on how to protect and preserve our environment. She feels the City needs to focus on becoming a better steward of the environment by implementing a green initiative for the city. The committee will be asked to examine the public sector's policies, procedures and facilities as they currently exist and implement an environmentally friendly policy in the use of all environmental resources. Council agreed to support the Mayor's request to establish the committee. Mayor Lawson reported that Dr. Kizner has advised her that serving on the Green Committee representing the schools would be School Board member Nancy Baker, Travis Clemons, and a student. The Mayor indicated she had received inquiries from several citizens interested in serving on the committee and she asked that any citizen interested in serving to contact the city manager's office to fill out an application and Council will consider appointments at the November 25 meeting.

Business from the floor: Rev. Tyler Millner of Morning Star Church made the following comments: thanked the city for its support of Citizens Awareness Week and the salute to nonprofit organizations; he asked that Council send an official representative to their wrap-up session on Nov. 12 to plan for the future of the Citizens Awareness program; pointed out he is gathering photos and information from

October 28, 2008

the presidential candidate visit on August 20 so the area will have official historical data; questioned if adequate preparations are being made for election day and encouraged those eligible to vote absentee; suggested that Council explore ways to partner with African-American churches for economic development; commented on increased utility prices and stated there should be resources in place to help people out with cold weather coming; asked that the city and county partner to sponsor the Martin Luther King, Jr. holiday breakfast in January; asked that Council explore unifying the school divisions.

Comments from City Council: Stroud-wants to go forward with cutting the renewable tract of surplus property and move forward on bike trails; Reynolds-cautioned that the city will have to make some difficult financial choices due to state budget cuts FY09 and FY10; Turner-pointed out we need to be sensitive to increased utility rates and the stadium lights are ready for MHS Friday night football game this week; Lawson-reported the recent VML conference was very worthwhile and very useful information was gathered, some of which she passed along to Wayne Knox to further explore; the Mayor requested an update at the Nov. 25 Council meeting on the solar lights on the Starling Avenue bridge.

Comments from City Manager: reported that in light of state budget reductions, city staff has examined revenue and expenditures and determined the city is in a good position so far with a surplus of \$136,442 which will help in the next round of state budget cuts; reported there has been discussion of city staff and constitutional officers regarding coordinating their schedules due to the confusion to the public because of differing holiday schedules--this issue will be brought to Council during their budget deliberations for budget FY10 with cost figures and advantages and disadvantages; reported he met with Benny Summerlin of Henry County, Jay Scudder of Patrick County and WPPDC staff and it was decided that the West Piedmont Planning District Commission will be designated to serve as our Local Development District in conjunction with Appalachian Regional Commission which will allow WPPDC to write grants to apply for development funds; reported the Goblin Gallop 5K race was held Saturday and drew a record number of 122 runners—he noted the event was a coordinated effort with city and county departments and commended them for the good job done; reported that the city is partnering with Coalition for Health & Wellness to encourage healthier lifestyles of city employees; announced that Ted Anderson has

October 28, 2008

been named as the new Building Official—Ted is also Fire Marshal and combining these two positions will optimize the level of customer service and streamline operations making for a better coordination of efforts which will result in a cost savings to citizens.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Kimble Reynolds, seconded by Danny Turner, with the following 4-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; 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) 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; (C) 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.

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 Danny Turner, seconded by Mark Stroud, with the following 4-0 recorded vote: Mrs. Lawson, aye; Mr. Reynolds, aye; Mr. Stroud, aye; and Mr. Turner, aye, Council returned to Open Session. No actions were taken.

There being no further business, Mayor Lawson adjourned the meeting at 10:06 PM.

---

Clarence C. Monday  
Clerk of Council

---

Kathy C. Lawson  
Mayor