

AGENDA--CITY COUNCIL -- CITY OF MARTINSVILLE, VIRGINIA  
Council Chambers – Municipal Building  
**7:00 pm Closed Session**                      **7:30 pm Regular Session**  
**Tuesday January 14, 2020**

**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. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by Subsection 3.
- C. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by Subsection 29.
- D. 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 pm - Regular Session**

Pledge to the American Flag and Invocation by Council Member Woods

1. Consider approval of the minutes from the September 23, 2019 Neighborhood Meeting, September 24, 2019 Council Meeting, October 8, 2019 Council Meeting and October 21, 2019 Neighborhood Meeting. (5 mins)
2. Consider presentation of a proclamation recognizing January 16, 2020 as Zeta Phi Beta Sorority, Inc. Upsilon Delta Zeta Chapter Day in Martinsville. (5 mins)
3. Hear an update on FY20 Telecommunications operations. (15 mins)
4. Consider approval of consent agenda (2 mins)
5. 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.**
6. Comments by members of City Council. (5 minutes)
7. Comments by City Manager and City Attorney. (5 minutes)

**Meeting Date:** January 14, 2020

**Item No:** 1.

**Department:** Clerk of Council

**Issue:** Consider approval of minutes from the September 23, 2019 Neighborhood meeting, September 24, 2019 Council Meeting, October 8, 2019 Council Meeting, and the October 21, 2019 Neighborhood Meeting.

**Summary:** None

**Attachments:** September 23, 2019 Neighborhood Meeting  
September 24, 2019 Council Meeting  
October 8, 2019 Council Meeting  
October 21, 2019 Neighborhood Meeting

**Recommendations:** Motion to approve minutes as presented.

**Date:** January 14, 2020

**Item No:** 2.

**Department:** City Council

**Issue:** Consider presentation of a proclamation recognizing January 16, 2020 as Zeta Phi Beta Sorority, Inc. Upsilon Delta Zeta Chapter Day in Martinsville.

**Summary:** Zeta Phi Beta Sorority, Inc. was founded on January 16, 1920 at Howard University in Washington, D.C. and celebrates its 100<sup>th</sup> anniversary on January 16, 2020. In recognition of the long-standing work done by the Sorority, a proclamation will be read and presented. A representative of Zeta Phi Beta Sorority, Upsilon Delta Zeta Chapter will be attending the meeting to accept the proclamation and provide brief remarks.

**Attachments:** Proclamation

**Recommendations:** Read and present the proclamation.



## **PROCLAMATION**

### **RECOGNIZING JANUARY 16, 2020 AS ZETA PHI BETA SORORITY, UPSILON DELTA ZETA CHAPTER DAY**

**WHEREAS**, the City of Martinsville traditionally recognizes organizations that have made significant contributions to the vitality of our City, and the Zeta Phi Beta Sorority, Inc., Upsilon Delta Zeta Chapter truly represents Martinsville values at their best; and

**WHEREAS**, Zeta Phi Beta Sorority, Inc. is an International, community service driven organization that was founded on January 16, 1920 in Washington D.C. on the campus of Howard University; and

**WHEREAS**, guided by their core values of scholarship, service, sisterly love, and finer womanhood, for the past 100 years the women of Zeta Phi Beta Sorority, Inc and Upsilon Delta Zeta Chapter have worked tirelessly to provide services and support to our communities and families in Martinsville with its many program initiatives such as Adopt a School, Scholarships, Girls Rock Awards Program, and March of Dimes Premature Shoebox Blessings which includes education surrounding the importance of prenatal care, medical services, and the promotion of healthy lifestyles; and

**WHEREAS**, a further testament to the Upsilon Delta Zeta Chapter's passion for empowering and uplifting our communities, through their past partnerships with women's shelters assisting them with needed personal hygiene supplies; and

**WHEREAS**, with professional and community engagement-orientated women, the Upsilon Delta Zeta Chapter of Zeta Phi Beta Sorority, Inc has proven to be a dedicated community partner for positive change, and will continue to remain steadfast in its commitment to empower, uplift, and serve our City's citizens;

**NOW THEREFORE**, I, Kathy Lawson, Mayor of the of the City of Martinsville, do hereby proclaim January 16, 2020 as Zeta Phi Beta Sorority, Inc. Upsilon Delta Zeta Chapter Day in Martinsville.

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Kathy Lawson, Mayor



## City Council Agenda Summary

**Date:** January 14, 2020

**Item No:** 3.

**Department:** Telecommunications

**Issue:** Hear an update on FY20 Telecommunications operations.

**Summary:** Telecommunications Director Mike Scaffidi will present an update at the January 14 Council meeting regarding the FY20 Telecommunications budget and the status of projects.

**Attachments:** None. Additional information will be presented at the meeting.

**Recommendations:** Presented for information purposes. No Council action needed.

**Meeting Date:** January 14, 2020

**Item No:** 4.

**Department:** Finance

**Issue:** Consider approval of the consent agenda

**Summary:**

**Item #1:**

The attachment amends the FY20 budget with appropriations in the following fund:

General: \$ 5,197 – Confiscated Asset Forfeitures; Fees

Capital Reserve: \$ 25,790 – Sales of Surplus Equipment

**Item #2:**

Authorize the City Treasurer to issue a refund for \$4,033.48 to a city business for their overestimated 2017 business license. The effective date for the refund should be prior to February 5, 2020 to avoid any interest calculation.

**Item #3:**

Authorize the City Treasurer to issue a refund for \$2,691.87 to a city business for their overestimated 2017 business license. The effective date for the refund should be prior to February 5, 2020 to avoid any interest calculation.

**Attachments:** Detailed information from Finance regarding item 1 above, and agenda summary sheet from the Commissioner of the Revenue providing additional details regarding items 2 and 3 above

**Recommendations:** Approve. All can be approved in one motion with voice vote.

## BUDGET ADDITIONS FOR 1/14/20

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b><u>BUDGET ADDITIONS</u></b>				
<b><u>FY2020</u></b>				
<b><u>General Fund:</u></b>				
01101917	442401	Categorical Other State - Confiscated Assets - PD		4,722
01311085	506078	Police Dept - State Asset Forfeitures Forfeited assets from Commonwealth	4,722	
01100906	461309	Charges for Services - Non-reverting Funds/Clerk		475
01216076	506104	Clerk of Circuit Court - Non-capital Equipment Service fees collected	475	
<b>Total General Fund:</b>			<b>5,197</b>	<b>5,197</b>
<b><u>Capital Reserve Fund:</u></b>				
16100905	416209	Sale of Surplus		25,790
16575365	508075	Motor Vehicles - Police Dept	2,500	
16572362	508080	Tools & Equipment - Fire Dept	16,690	
16572362	508110	Tools & Equipment - Street Maintenance Dept Funds received from sales of surplus equipment	6,600	
<b>Total Capital Reserve Fund:</b>			<b>25,790</b>	<b>25,790</b>

**Meeting Date:** January 14, 2020

**Item No:**

**Department:** Commissioner of the Revenue, City Treasurer

**Issue:** Consider authorizing refunds resulting from verification updates of estimated BPOL tax for 2 local businesses for tax year 2017.

**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 2017 license year for two separate business lines operating under different business names.

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 office and forwarded to the City Treasurer. Because the refund amounts individually are 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 provided in late December 2019.

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 for each separate business, City Council must authorize the City Treasurer to issue the refunds.



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.

**Attachments:** Consent Agenda

**Recommendations:** Authorize City Treasurer to issue two refunds: (1) for \$4,033.48 to a city business for their overestimated 2017 business license and (2) for \$2,691.87 to a second city business for their overestimated 2017 business license. The effective date for both refunds should be prior to February 5, 2020 to avoid any interest calculation.