

AGENDA--CITY COUNCIL CITY OF MARTINSVILLE, VIRGINIA

Council Chambers – Municipal Building
6:30pm Closed Session 7:00pm Regular Session
Tuesday September 28, 2021

6:30 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.

7:00 pm - Regular Session

Pledge to the American Flag and Invocation by Mayor Lawson

1. Approve minutes from the September 14, 2021 Council Meeting. (5 mins)
2. Recognize City Employees who are eligible for Service Awards for the period July 1, 2021 – September 30, 2021. (5mins)
3. Consider adoption of a resolution celebrating Dry Bridge School. (10 mins)
4. Consider approval of certain policies and certifications related to the Pine Hall Road Community Development Block Grant project. (15 mins)
5. Hear an update from Building Inspections regarding demolition of structures within the City. (25 mins)
6. Consider approval of Consent Agenda. (5 mins)

7. Business from the Floor - **CANCELLED**

The public comment portion of the Council meeting provides citizens the opportunity to discuss matters relevant to the operation of the City, which are not listed on the printed agenda.

Citizens who wish to participate in a meeting's public comment period may do so by emailing their comments to Karen Roberts, Clerk of Council, at kroberts@ci.martinsville.va.us, calling in their comments to 276-403-5182, faxing comments to 276-403-5280, or mailing comments to City of Martinsville, attn.: Karen Roberts, P.O. Drawer 1112, Martinsville, VA 24114. *Comments must be received by 12:00noon Monday September 27.* Citizens may also request to speak at the Council meeting in the same manner. Comments, or a request to speak, must be received by noon the day before a Council meeting for consideration by Council at the meeting.

Any person submitting comments or requesting to speak must identify themselves by name and address, including zip code, limit their remarks to 3 minutes or less (as read aloud), address a topic of City business, and refrain from making any personal references or accusations of a factually false and/or malicious nature. Priority for comments is given to City residents, taxpayers, and business owners. Speakers may not yield time. Groups of speakers on the same topic must designate a single representative. Comments violating these rules may not be presented at the Council meeting. Any speaker violating these rules may be removed from the podium or from the Council chamber.

This policy does not apply to public hearings, at which any citizen of Martinsville may appear and speak on the subject of the public hearing.

8. Comments by members of City Council. (5 minutes)
9. Comments by City Manager and City Attorney. (5 minutes)

Meeting Date: September 28, 2021

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes

Summary: None

Attachments: September 14, 2021 Council Meeting

Recommendations: Motion to approve minutes as presented.

Meeting Date: September 28, 2021

Item No: 2.

Department: Human Resources

Issue: Recognize City Employees who are eligible for Service Awards for the period July 1, 2021 – September 30, 2021.

Summary: The Service Award Program is designed to build individual morale and show appreciation to the long-service employee for their faithful service to the City of Martinsville.

**SERVICE AWARD RECIPIENTS
THIRD QUARTER - FISCAL YEAR 21-22
FOR THE PERIOD OF JULY 1 – SEPTEMBER 30, 2021**

First Name	Last Name	Location Desc	Years of Service
TRAVIS	HODGE	HUMAN RESOURCES	5
TODD	MCCRICKARD	ELECTRIC CONSTRUCTION	5
JAMES	RUMLEY	SHERIFF DEPT.	5
JUSTIN	WILLARD	POLICE DEPT	5
JAMES	SAWYERS	WASTEWATER PLANT	5
RYAN	EMBERSON	ELECTRIC MAINTENANCE	5
WILLIAM	HANKINS	PARK MAINTENANCE	15
DALE	DAVIS	FIRE DEPARTMENT	15
NANCY	SHERMAN	COMMONWEALTH'S ATTORNEY	15
CHRISTOPHER	PENN	SEWER MAINTENANCE	15
DAVID	BRIDGES	INSPECTIONS	20
LAURA	HOPKINS	SHERIFF DEPT.	25

Attachment: None

Recommendation: The Mayor will read the list.

Date: September 28, 2021

Item No: 3.

Department: City Attorney

Issue: Consider adoption of a resolution celebrating Dry Bridge School

Summary: This former East End school is an important surviving example of “Rosenwald Schools” which served the Black communities across the South. It will be recognized by the unveiling of a Virginia historic marker at 11:00 a.m., Saturday, October 2. The marker is near the intersection of East Church and Boden Streets (MARC Workshop).

Attachments: Draft resolution.

Recommendations: Adoption at Council’s pleasure by voice vote.



RESOLUTION HONORING DRY BRIDGE SCHOOL

WHEREAS, Henry County opened a new Dry Bridge School in the East End of Martinsville in 1928 after the School Improvement League, an organization of African Americans living east of Martinsville, campaigned under the leadership of the Rev. W. F. Geter to replace the original Dry Bridge Colored School; and

WHEREAS, funding for construction of the school came from the African American community, the public, and the Julius Rosenwald Fund, which helped build more than 5,000 schools for African Americans in the South; and

WHEREAS, the school, led by teaching principals J. L. Hairston and the Rev. R. T. Anderson, served students in grades 1-8, and the school was subsequently known as East Martinsville School after the city annexed the area in 1948, and was closed in 1968 as the City desegregated its schools.

WHEREAS, the school, an outstanding surviving example of what have come to be known as “Rosenwald Schools,” was named to the Virginia Landmarks Register in 2008 and the National Register of Historic Places in 2009, and will be further recognized by the unveiling of a Virginia Department of Historic Resources commemorative historic marker on October 2, 2021; and

WHEREAS, Dry Bridge School is an important monument to Black heritage, success and achievement in the City of Martinsville, the Commonwealth of Virginia and the United States,

NOW THEREFORE, BE IT RESOLVED, by the City Council of Martinsville that Saturday, October 2, 2021 be designated as “Dry Bridge School Celebration Day”; that the citizens of this City be encouraged to attend the unveiling of the historic marker, and to reflect upon the significance of this site and upon the many achievements of the Black community in Martinsville; and

BE IT FURTHER RESOLVED that the City of Martinsville extends its heartfelt thanks and commendation to Mrs. Imogene Hodge Draper, whose tireless efforts over many years are responsible for the recognition afforded this historic site. Mrs. Draper’s contributions to preserving the history of our community have made life in Martinsville richer and more meaningful, and her exemplary efforts and selfless service to this City are to be much admired, appreciated, and emulated.

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Attest:

Karen Roberts, *Clerk of Council*

Date: September 28, 2021

Item No: 4.

Department: Community Development

Issue: Consider approval of certain policies and certifications related to the Pine Hall Road Community Development Block Grant project.

Summary: Attached is staff report from Community Development Director Mark McCaskill, outlining the need for Council to approve certain documents and certifications in regard to compliance with DHCD and HUD regulations related to the Pine Hall Road Community Development Block Grant project contract.

Specifically the documents are Appendix 7 Section 504 – Grievance Procedure, and Appendix 8 – Residential Anti-Displacement and Relocation Assistance Plan.

As noted in the staff report, additional items may be brought to Council for approval at a later meeting.

Attachments: Staff Report; Appendices 7 and 8

Recommendation: Approve the policy and certification outlined in Appendices 7 and 8. (can be done collectively by voice vote, with one motion & second)



Date: September 23, 2021

To: Leon Towarnicki

From: Mark McCaskill, Community Development Director

RE: Pine Hall Grant related City Council actions for September 28, 2021 City Council meeting.

SUBJECT:

Contracting period with Virginia Department of Housing and Community Development (DHCD) for the City of Martinsville's Pine Hall Housing Rehabilitation Project.

BACKGROUND:

The City of Martinsville was recently awarded \$1,183,310 in DHCD Funds to be matched by private and local funds (primarily in-kind) of \$496,425 for a total project cost of \$1,679,735 for the Pine Hall Housing Rehabilitation Project. We are currently in the contracting period with DHCD to develop a final contract that complies with DHCD and Federal Housing and Urban Development (HUD) regulations. We anticipate a final contract by mid-November. As a part of the contracting period, City Council will need to approve various Policies and Certifications, two of which are included as attachments to this staff report.

NEXT STEPS:

There are two items included for discussion and action:

- ***Appendix 7 SECTION 504 GRIEVANCE PROCEDURE*** – This grievance procedure covers any complaints that may arise under the following:

Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

It names the City Manager as the 504 compliance coordinator, and ...

- **Appendix 8 RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN CERTIFICATION** – The Anti-Displacement policy is to ensure no one loses their home and no affordable housing unit is removed from the housing stock (by demolition, conversion, etc.) without replacement.” The Pine Hall Project doesn’t have any planned activities that would result in a displacement, so this policy shouldn’t be used; however, it is a requirement of DHCD that the City have an adopted Anti-Displacement policy. Please note that this does not apply to the uninhabited structures that will be demolished as a part of the City of Martinsville’s local match as they are not deemed a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less. Those demolitions are a part of the blight reduction aspect of the grant.

STAFF RECOMMENDATION:

Staff respectively recommends that City Council vote to approve Appendix 7, and Appendix 8

Attachments:

Appendix 7 SECTION 504 GRIEVANCE PROCEDURE

Appendix 8 RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION
ASSISTANCE PLAN CERTIFICATION

APPENDIX 7 - Section 504 Grievance Procedure

Grievance Procedure

The *City of Martinsville, Virginia* has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints should be addressed to: *Leon Towarnicki, City Manager, PO Box 1112, 55 West Church Street, Martinsville, VA 24114, 276-403-5185*), who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 2. A complaint should be filed within *(15 days)* after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
 3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by *(Leon Towarnicki, City Manager)*. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), the *City of Martinsville, Virginia* need not process complaints from applicants for employment or from applicants for admission to housing.
 4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by *(Leon Towarnicki, City Manager)* and a copy forwarded to the complainant no later than *(15 days)* after its filing.
 5. The Section 504 coordinator shall maintain the files and records of *the City of Martinsville, Virginia* relating to the complaints filed.
 6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should
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be made within *(15 days)* to *(Eric Monday, Assistant City Manager, City of Martinsville)*.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the *City of Martinsville, Virginia* complies with Section 504 and the HUD regulations.

Approved by Martinsville City Council at their regular meeting on the 28th of September, 2021.

Karen Roberts, Clerk of Council

APPENDIX 8 - RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

The *City of Martinsville, Virginia* will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the *City of Martinsville, Virginia* will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.

The City of Martinsville, Virginia will provide relocation assistance to each low/moderate – income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The City of Martinsville, Virginia's FY2022 project includes the following activities:

1. Administration of this project in a timely and compliant manner per DHCD/HUD guidelines;
2. Clearance and demolition of six (6) blighted homes.
3. Rehabilitation of six (6) owner-occupied homes to DHCD Housing Quality Standards.
4. Rehabilitation of six (6) investor-owned homes to DHCD Housing Quality Standards.
5. Substantial reconstruction of four (4) homes to DHCD Housing Quality Standards.
6. Clearance of all junk, debris, weeds, and inoperable vehicles from the project area, including annual neighborhood cleanups, to assist residents to dispose of inside and outside debris (CDBG funds);

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The City of Martinsville, Virginia will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Approved by Martinsville City Council at their regular meeting on the 28th of September, 2021.

Karen Roberts, Clerk of Council

Date: September 28, 2021

Item No: 5.

Department: Building Inspections

Issue: Hear an update from Building Inspections regarding demolition of structures within the City.

Summary: Kris Bridges, City Building & Zoning Official will present an update regarding demolition of dilapidated structures throughout the City.

Attachments: Presentation materials

Recommendations: Presented for information purposes. No Council action needed at this time.

Meeting Date: September 28, 2021

Item No: 6.

Department: Finance

Issue: Consider approval of the consent agenda

Summary:

Re-appropriation of Funds from FY21 to FY22 Budget by fund as follows:

General:	\$ 737,366
Refuse:	\$ 167,500
Water:	\$ 83,157
Sewer:	\$ 82,523
Electric:	\$1,098,363
Capital Reserve:	\$ 194,554
CDBG:	\$ 18,001
School Operations:	\$ 470,111
Total Requests:	\$2,851,575

Attachments:

Consent Agenda 9-28-21 Re-appropriations

Recommendations: Approve

RE-APPROPRIATIONS FY21 INTO FY22

DEPARTMENTAL REQUESTS

ORG CODE	OBJECT	DEPARTMENT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	DESCRIPTION
GENERAL FUND						
01103938	462101		Contribution From Fund Balance		\$ 737,366	
01217078	506047	Sheriff - Courts	Project Life Saver	\$ 4,234		rollover of donations
01217078	506138	Sheriff - Courts	M/C Equipment/Maintenance	\$ 3,369		rollover of donations
01217078	506146	Sheriff - Courts	CARES Act Funds	\$ 36,682		CARES Funding
01221082	506105	Commonwealth's Attorney	State - Confiscated Assets	\$ 8,221		forfeiture funds - carry-over
01221082	506118	Commonwealth's Attorney	Local - Confiscated Assets	\$ 83		forfeiture funds - carry-over
01311085	506061	Police	Ammunition	\$ 9,092		incomplete purchase
01311085	506078	Police	State - Confiscated Assets	\$ 26,752		forfeiture funds - carry-over
01311085	506079	Police	Federal - Confiscated Assets	\$ 431,321		forfeiture funds - carry-over
01311085	506118	Police	Local - Confiscated Assets	\$ 389		forfeiture funds - carry-over
01311085	506139	Police	E-Summons Equipment	\$ 20,243		dedicated e-summons funding
01321102	506110	Fire	Fire Programs	\$ 27,875		grant funding
01321102	506130	Fire	Maintenance for Burn Building	\$ 4,800		ongoing project
01322105	506114	EMS	Four for Life	\$ 24,782		grant funding
01331108	506010	Sheriff - Corrections	Radios & Weapons	\$ 4,980		Incomplete Purchase
01331108	506011	Sheriff - Corrections	Uniforms & Vests	\$ 10,100		Incomplete purchase
01334122	506133	Safety	Siren Supplies	\$ 5,814		ongoing project
01334122	506143	Safety	LEMP - Grant	\$ 24,804		grant funding
01341135	506300	Inspections	Demolition	\$ 42,375		incomplete projects
01413147	506010	Traffic Signals	Traffic Signal Maintenance	\$ 6,897		incomplete project
01413149	506008	Street Construction	Vehicle Equipment/Maintenance	\$ 20,000		incomplete repairs
01812242	503600	Misc Development Exp	Grant Program-Misc Business Dev	\$ 15,000		ongoing program
01812247	503136	Misc Development Exp	Grant Program - Prof Cons	\$ 9,552		Brownfields program
REFUSE FUND						
09103938	462101		Contribution From Fund Balance		\$ 167,500	
09424301	508205	Refuse	Motor Vehicles/Equipment	\$ 167,500		incomplete projects
WATER FUND						
12103938	462101		Contribution From Fund Balance		\$ 83,157	
12541311	508220	Water Plant	Physical Plant Expansion	\$ 75,000		incomplete project
12542312	508201	Reservoir	Machine-Equipment	\$ 8,157		incomplete purchase
SEWER FUND						
13103938	462101		Contribution From Fund Balance		\$ 82,523	
13550325	503190	Wastewater Plant	Contract Repairs	\$ 15,582		incomplete project
13550325	506007	Wastewater Plant	Repair/Maintenance Supplies	\$ 32,835		Incomplete purchase
13550325	508205	Wastewater Plant	Vehicles	\$ 34,106		Incomplete purchase
ELECTRIC FUND						
14103938	462101		Contribution From Fund Balance		\$ 1,098,363	
14561336	508220	Electric Generation	Physical Plant Expansion	\$ 200,000		incomplete project
14563338	503203	Electric Maintenance	Work ORD/Map Cons	\$ 25,000		incomplete project
14563338	506007	Electric Maintenance	Substation - Repair/Maint	\$ 6,048		Incomplete purchase
14564339	503191	Electric Construction	Contract Labor	\$ 239,815		incomplete project
14564339	508205	Electric Construction	Motor Vehicles/Equipment	\$ 277,500		incomplete project
14564339	508220	Electric Construction	Physical Plant Expansion	\$ 350,000		incomplete projects

CAPITAL RESERVE FUND						
16103938	462101		Contribution From Fund Balance		\$ 194,554	
16575365	508085	Vehicles	Sheriff	\$ 34,991		incomplete purchase
16575365	508110	Vehicles	Street Maintenance	\$ 56,434		incomplete purchase
16576366	508055	Software/Hardware	Infomartion Services	\$ 42,112		incomplete project
16577367	508100	Physical Plant Expansion	Garage	\$ 22,316		incomplete project
16579369	508209	School Projects Reserve	School Projects	\$ 38,701		school capital projects
CDBG FUND						
47103938	462101		Contribution From Fund Balance		\$ 18,001	
47913297	506100	General Expense	Admin/Misc expenses	\$ 18,001		accumulated program income
TOTAL CITY FUNDS:					\$ 2,381,464	
SCHOOL FUNDS						
18100938	410510		Ops/Contrib from Fund Balance		\$ 470,111	
71001300	561620	VTSS	Supplemental S&W	\$ 3,900		VTSS/PBIS Grant Balance
71001300	562100	VTSS	Social Security Payments	\$ 299		VTSS/PBIS Grant Balance
71001300	563000	VTSS	Purchased Services	\$ 5,000		VTSS/PBIS Grant Balance
71001300	563142	VTSS	Professional Development	\$ 15,000		VTSS/PBIS Grant Balance
71001300	566000	VTSS	Materials & Supplies	\$ 13,705		VTSS/PBIS Grant Balance
71001300	566040	VTSS	Software & Online Content	\$ 2,800		VTSS/PBIS Grant Balance
81621310	563142	Harvest	Professional Development	\$ 35,893		Harvest
81631310	563142	Harvest	Professional Development	\$ 35,893		Harvest
85001009	563000	Healthnet	Purchased Services	\$ 12,976		UVA Telehealth Grant
85001009	566056	Healthnet	Non-Capital Equip	\$ 2,897		UVA Telehealth Grant
81021310	566020	Support Staff	Textbooks & Workbooks	\$ 198,734		Textbook Fund
81031310	566020	Support Staff	Textbooks & Workbooks	\$ 80,156		Textbook Fund
80003400	568100	Vehicle Maintenance	Capital Outlay Replacement	\$ 48,572		Replace totaled SpEd Van
80003400	568100	Vehicle Maintenance	Capital Outlay Replacement	\$ 14,286		Replace totaled fleet car
TOTAL SCHOOL FUNDS:					\$ 470,111	
TOTAL RE-APPROPRIATIONS FROM FY21 TO FY22					\$ 2,851,575	