

January 25, 2022 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on January 25, 2022 in Council Chambers, Municipal Building, at 7:00 PM with Mayor Kathy Lawson presiding. Other Council Members present included Danny Turner, Chad Martin and Jennifer Bowles. Council Member Pearson participated by phone. Staff present included City Manager Leon Towarnicki, Assistant City Manager and City Attorney Eric Monday, Clerk of Council Karen Roberts, Community Development Director Mark McCaskill, Finance Director Mandy McGhee and Deputy Police Chief Rob Fincher.

Mayor Lawson called the meeting to order and advised that Council would not have Closed Session as originally posted on the agenda. City Attorney Monday explained that Council Member Pearson was unable to attend the meeting. Monday referenced Virginia Code 2.2-3708.2 which would give Pearson the option to participate in the Council meeting by phone. Council Member Turner made a motion to allow Pearson to participate telephonically; Vice Mayor Bowles seconded the motion with the following 4-0 roll call vote: Mayor Lawson, aye; Council Member Turner, aye; Vice Mayor Bowles, aye; and Council Member Martin, aye.

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

Approve minutes from the January 11, 2022 Council Meeting – Vice Mayor Bowles made a motion to approve the minutes as presented; Council Member Martin seconded the motion with all Council Members voting in favor.

Read a Proclamation acknowledging February 2022 as Black History Month – Vice Mayor Bowles read the proclamation which was presented to Naomi Hodge-Muse, President of the local NAACP. Hodge-Muse expressed her appreciation.

Hear information on a project to update and expand the Martinsville Historic District - Community Development Director Mark McCaskill introduced Kayla Halberg, Project Manager for Commonwealth Preservation Group. Halberg presented a PowerPoint updating Council on the history of the company including projects in the Martinsville area. Mike Pulice, Western Region Architectural Historian and Caitlyn Sylvester, Grant Project Coordinator participated by Zoom and continued with the PowerPoint related to ESHPF Disaster Assistance Grants for Historic Resources, Historic District update/boundary increase project background, Martinsville Historic District Boundary Increase Map, examples of resources, the survey and analysis work schedule. Pulice continued to share information on community benefits, economic benefits and personal benefits. Pulice explained the historic resources survey and what would be included outside of buildings and homes. Halberg explained that they will begin surveying tomorrow. Council Member Turner asked that Oakwood Cemetery be considered as a potential survey site. City Attorney Monday explained that the City Engineering Department has mapped the entire City and flagged specific properties that could qualify for the survey. Pulice said while tomorrow's survey would be of preselected locations, he would be happy to meet with Turner to look at Oakwood Cemetery and that there are

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several “pots of money” that they would be happy to work with the City on procuring additional funds.



Martinsville Historic District Update Project

Tuesday, January 25, 2022
7:00 p.m.

Presentation by:
Virginia Department of Historic Resources

The Virginia Department of Historic Resources is the
State Historic Preservation Office.

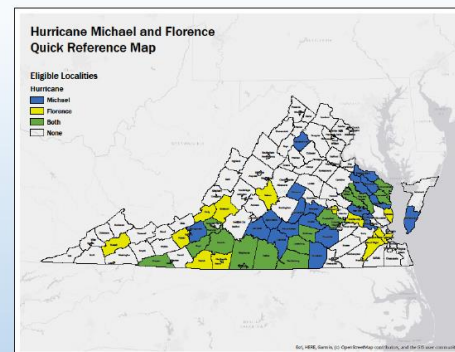
Our mission is to foster, encourage, and support the
stewardship of Virginia's significant historic
architectural, archaeological, and cultural resources.



Tonight's Meeting Topics

- ESHPF Disaster Assistance Grants for Historic Resources
- Overview and background of project
- What is a National Register Historic District and what it means to be included
- Architecture Survey
- Questions and Answers

ESHPF Disaster Assistance Grants for Historic Resources



ESHPF Disaster Assistance Grants for Historic Resources

- Emergency Supplemental Historic Preservation Fund
- DHR ran two applications: development projects and survey and planning projects
- Martinsville Historic District Update survey and nomination project approved by the National Park Service
- ESHPF survey and planning project will all be run in-house at the Department of Historic Resources:
 - With input from the City, DHR wrote the scope, hired the contractor, and will continue to work as the project administrator
- No cost to City

Martinsville Historic District Update/Boundary Increase Project Background

- In 1998: The Martinsville Historic District was listed in the National Register of Historic Places (followed by the East Church Street–Starling Ave. HD in 2006 and the Fayette Street HD in 2007).
- In 2019: The proposed Martinsville Historic District Boundary Increase was determined eligible and includes additional areas and properties sharing a similar history and development pattern to those in the existing historic district.
- In 2019: ESHPF/National Park Service awarded Virginia \$4.7 million for Preservation Repair and Planning projects.
 - The City of Martinsville was recommended due to high concentrations of historic buildings that have been threatened over time by storms.



Martinsville Historic District Update Project Background

Project will include two separate pieces and reports:

- Nomination Update

Update to original nomination will extend period of significance from 1948 to 1972 to include mid-twentieth century resources representative of the continued historical growth patterns associated with the original district.

- Boundary Increase

Boundary increase will include approximately 46 additional properties (not in original nomination) which represent the district's continued civic, commercial, and industrial development patterns into the early 1970s.



Martinsville Historic District Update and Expansion

- Level of Significance: Local

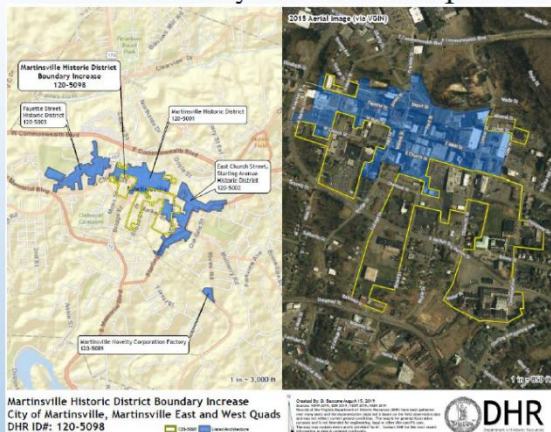
- Period of Significance: 1791 – 1972

- National Register Criteria: A and C

- Areas of Significance: Architecture, Government, Commerce, Industry, and Education



Martinsville Historic District Update Boundary Increase Map



Martinsville Historic District Update Examples of Resources



Martinsville Historic District Update Survey and Analysis Work Schedule

- Consultant will conduct survey work this winter and spring 2022.
- Consultant will prepare a Nomination Report Update and Boundary Increase for submission to City/DHR in summer 2022.
- A Public Hearing will be held in Martinsville in fall 2022
- Joint State Review Board & Virginia Board of Historic Resources meeting in fall 2022 to consider listing.
- Fall 2022 sent to the National Park Service for final listing.



Restrictions? No!



Community Benefits

- Community Education/Awareness
- Local Pride
- Planning
 - Local
 - State
 - Federal



Martinsville Novelty Corporation Factory, NRHP 2010

Economic Benefits

Easements

- May lower tax burden
- Lessens inheritance taxes
- Preserves property
- Priority during emergencies

Rehabilitation Tax Credits

- State and federal credits available
- Dollar-for-dollar reductions in income tax liability for taxpayers who rehabilitate historic buildings
- State credit: 25% of approved expenses-following guidelines.
- Federal credit: 20% of approved expenses-following guidelines.



Personal Benefits

- Entry in VLR book
(new edition online)
- Info on your property
- Technical advice



Fayette Street Historic District, Martinsville

What is a historic resources survey?

A **process** of identifying and gathering data on a community's historic resources.



What will be included in this survey?



E. Church Street-Starling Avenue Historic District



Everything! All standing structures, buildings, sites, and objects that are within the proposed historic district boundaries.

Historic Resource Survey

For each property:

- Number of buildings
- Property size
- Site features
- Historical information
- Historic district status: contributing/noncontributing



For each building:

- Resource type
- Construction date
- Architectural style
- Unique features



Historic Resource Survey

If your property is included in a historic resource survey or in a listed historic district:

- You will **not** have to seek permission from DHR or the Town to make any changes to your property, including the demolition of a building or the subdivision of the property.
- You will **not** have to open your property to the public.
- Consultant will conduct the survey and alert Town officials when they are planning to be on the ground.

Virginia Department of
Historic Resources
Helping You Put Virginia's Historic Resources to Work



Martinsville Historic District Update Project Team



Paige Pollard
Principal



Marcus Pollard
Survey & Research
Support



Erica Howard
GIS & Mapping



Kayla Halberg
Project Manager



Ethan Halberg
Survey & Administrative
Support

Project Consultant



- Established in 2004
- Small, Micro, Woman and Minority-owned business
- Full service historic preservation consulting firm with 10 full-time employees
- Located in Norfolk, VA
- Projects throughout the Southeast and Mid-Atlantic Region



Web: <https://www.commonwealthpreservationgroup.com/>
Phone: 757-923-1900
Email: Admin@commonwealthpreservationgroup.com



Similar Recent Projects



Lawrenceville Historic
District, Brunswick County,
Survey and National Register
Nomination Update



Hargrave Military Academy,
Chatham, Pittsylvania County,
Survey and National Register
Nomination



Warrenton Historic District, Fauquier
County, Survey and National Register
Nomination

Thank you for your time and consideration



For more information, please visit dhr.virginia.gov

Virginia Department of Historic Resources:

Mike Pulice, Western Region Architectural Historian (540) 387-5443
Caitlin Sylvester, ESHPF Grant Project Coordinator (804) 482-6461

Commonwealth Preservation Group:

Kayla Halberg, Project Manager (757)-923-1900

Questions?

Hear a presentation of a recent needs assessment study for eviction in Henry County and Martinsville – Phil Wenkster, Executive Director of the United Way of Henry County and Martinsville participated by Zoom, sharing a PowerPoint on the eviction prevention needs assessment for Martinsville and Henry County. Wenkster was joined by Cali Slepín of National Housing Trust who thanked community members for engaging with them during the project study. Slepín explained the study process and shared the findings of the study and how those were determined. Challenges were identified, processed and recommended approaches were identified including systems, community and programs change solutions.

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Wenkstern detailed the next steps related to a grant from DHCD implemented and provided to United Way and how those funds would be used. (61 page PowerPoint is on file)

Hear an update on operations of the Blue Ridge Regional Library – Rick Ward, Director of Blue Ridge Regional Library presented a PowerPoint updating Council on the library during the pandemic. Staff provided PPE kits to visitors of the library. Ward detailed virtual library projects, curbside pick-up programs, summer reading program with prizes, the summer feeding program, a drive-thru trunk-or-treat program, Holiday Cheer drive-thru food giveaway, curbside concierge. Ward shared that Oculus Quest 2 systems are coming soon to provide virtual reality experiences. The library hopes to provide their staff a 5% raise in the next budget year. The library has been open normal hours since June 2021. Ward introduced Board Chairperson Betsy Haskins, Board Member Margaret Caldwell and Martinsville Branch Manager Tammy Cope. Caldwell explained that there are 10,000 visits per month and the library staff are deserving of a raise which they have not received in some time. Caldwell explained that local libraries were established to be supported by localities, not the state. Council Member Martin asked if ARPA money could go towards funding the library. Martin thanked the library staff for providing for the community. Ward shared information about the Blue Ridge Regional Library Foundation.



ANNUAL REPORT 2020-2021



The mission of the Blue Ridge Regional Library is to provide free, friendly service and access to timely materials that educate, enrich, and engage the entire community.

*Created by: Leondia Gravelly
Program Coordinator*

ENGAGING OUR COMMUNITY WITH SERVICE



HELPING KEEP THE COMMUNITY SAFE
CURBSIDE PPE KITS
Sponsored by the Institute of Museum and Library Services & Library of Virginia



EACH PPE KIT CONTAINS
1 Hand Sanitizer
1 Mask
1 Pack Antibacterial Wipes

FREE WITH YOUR CURBSIDE CHECK-OUT
LIMIT 1 PER PATRON WHILE SUPPLIES LAST

PLEASE TAKE BY YOUR WHITE BRANDED TUBS
OR SEE JESSIE ALLEN'S CURBSIDE CHECK-OUT

WE RECEIVED

700

**PPE KITS FROM OUR SPONSORS IMLS & LVA
TO BE DISTRIBUTED TO THE COMMUNITY.**

**TO LIMIT IN PERSON CONTACT
WE OFFER**

Curbside Pickup
Monday-Friday
10:00 AM - 6:00 PM



CURBSIDE PICKUP IS LOCATED IN THE BACK PARKING LOT

- 1 PLACE HOLD**
ONLINE OR BY PHONE
<https://www.brl.org/va/>
(276) 403-6430
UP TO 10 ITEMS PER CARD
- 2 WAIT**
FOR AN E-MAIL OR PHONE
CALL FROM THE LIBRARY
THAT ITEMS ARE READY FOR
PICK-UP
- 3 PARK & CALL**
WAIT IN VEHICLE
CALL US WHEN YOU ARRIVE TO
PICK-UP REQUESTED ITEMS

VIRTUAL LIBRARY PROGRAMS



**BLACK PANTHER
ART CONTEST**
SEPTEMBER 28-OCTOBER 2
SEND A PICTURE OF YOUR ART WORK TO EVENTS@BRL.VA.GOV
FOR A CHANCE TO WIN A PRIZE

Age 4-8
PRE-SCHOOL
SCHOOL-AGE
TEEN

SEND A PICTURE OF YOUR ART WORK TO EVENTS@BRL.VA.GOV
FOR A CHANCE TO WIN A PRIZE

26 SEPTEMBER - 2 OCTOBER 2021

...and the
WINNERS
are...





OUR PARTNERS

Albert Harris Elementary School
Empowering Success One Learner At A Time



CURBSIDE PICK-UP PROGRAMS

**VALENTINE'S DAY
SURPRISE GIFT BOX GIVEAWAY**
FEBRUARY 10-12
SEND ONE OF OUR
LOCATIONS
HARD COPY TO: EVENTS@BRL.VA.GOV
SEND 400-400
COLUMBIA AND 100
HARRISON AVE
FARMINGTON, MD 21731
REGARDING THE BOX

**EASTER BASKET
GIVEAWAY!**
March 31-April 2nd
FOLLOWING LOCATIONS: EVENTS@BRL.VA.GOV
SEND 400-400
COLUMBIA AND 100
HARRISON AVE
FARMINGTON, MD 21731
REGARDING THE BOX

**CHASING LUCKY
THE LEPRECHAUN**
March 15-17
SEND ONE OF OUR
LOCATIONS
HARD COPY TO: EVENTS@BRL.VA.GOV
SEND 400-400
COLUMBIA AND 100
HARRISON AVE
FARMINGTON, MD 21731
REGARDING THE BOX

**EASTER BASKETS
ON PARADE**



**BASSETT
BRANCH
LIBRARY**

**EASTER BASKETS
ON PARADE**



**COLLINSVILLE
BRANCH
LIBRARY**

**EASTER BASKETS
ON PARADE**



**MARTINSVILLE
BRANCH
LIBRARY**

**EASTER BASKETS
ON PARADE**



**PATRICK COUNTY
BRANCH
LIBRARY**



THANKS FOR SWINGING BY
THE SUMMER READING PROGRAM KICKOFF 2021

TAILS and TALES

SUMMER READING PROGRAM KICKOFF 2021





ENRICHING OUR COMMUNITY WITH SERVICE

SUMMER FEEDING PROGRAM
- FREE -
SUMMER MEALS!

To-Go
FOR KIDS 18 & UNDER
FOR MORE DETAILS CONTACT YOUR LOCAL BRANCH

Available at the following locations

BASSETT BRANCH LIBRARY 276-629-2426 MONDAY: CURBSIDE PICKUP ONLY TUESDAY: WALK-IN WEDNESDAY: CURBSIDE PICKUP ONLY THURSDAY: WALK-IN FRIDAY: CURBSIDE PICKUP ONLY (INACK)	MARTINSVILLE (MAIN) LIBRARY 276-403-5430 MONDAY: CURBSIDE PICKUP ONLY TUESDAY: WALK-IN WEDNESDAY: CURBSIDE PICKUP ONLY THURSDAY: WALK-IN FRIDAY: CURBSIDE PICKUP ONLY (INACK)
COLLINSVILLE BRANCH LIBRARY 276-647-3352 MONDAY: CURBSIDE PICKUP ONLY TUESDAY: WALK-IN WEDNESDAY: CURBSIDE PICKUP ONLY THURSDAY: WALK-IN FRIDAY: CURBSIDE PICKUP ONLY (INACK)	RIDEWAY BRANCH LIBRARY 276-956-1828 MONDAY: CURBSIDE PICKUP ONLY TUESDAY: WALK-IN WEDNESDAY: CURBSIDE PICKUP ONLY THURSDAY: WALK-IN FRIDAY: CURBSIDE PICKUP ONLY (INACK)

The Martinsville Library distributed

718

to-go lunches to children during the pandemic with the Summer Feeding Program.



LIBRARY PROGRAM

CONGRATULATIONS TO MR. THOMAS ANTHONY



THE GOLDEN TICKET WINNER

THE BASSETT, COLLINSVILLE, AND MARTINSVILLE LOCATIONS DISTRIBUTED A TOTAL OF

2000

BOOKS & TREATS



ENRICHING OUR COMMUNITY WITH SERVICE

Holiday Cheer Drive-Thru Food Giveaway
December 19th @ 1-3 p.m.

All branches of the Blue Ridge Regional Library will host a drive-thru food giveaway to spread some Holiday Cheer!

SUPPLIES ARE LIMITED; REGISTRATION IS REQUIRED
All totes must be picked up on event day. Limit one tote per family.
You must call one of our locations to register.

Basnett: 276-629-2426
Collinsville: 276-647-3352
Martinsville: 276-403-5430
Patrick County: 276-694-3352
Ridgeway: 276-956-1828

A FAMILY STORYTIME BOOK IS INCLUDED FOR FAMILIES WITH CHILDREN (while supplies last)

Deadline to register is December 18th by 6:00 pm

WE DISTRIBUTED A TOAL OF

600

HOLIDAY CHEER FOOD TOTES



ENRICHING OUR COMMUNITY WITH SERVICE

NATIONAL LIBRARY WEEK
CURBSIDE CONCIERGE
MONDAY, APRIL 5TH

WELCOME TO YOUR LIBRARY
COMPLIMENTARY WITH CURBSIDE PICKUP
8 OZ. BOTTLED WATER
2 OZ. BAG OF CHOCOLATE CHIP COOKIES
NEWS OF SERVICES & RESOURCES

FOR MORE DETAILS CALL
BASSETT: 276-629-2426
COLLINSVILLE: 276-647-3352
MARTINSVILLE: 276-403-5430
PATRICK COUNTY: 276-694-3352
RIDGEWAY: 956-1828
1 PER PATRON WHILE SUPPLIES LAST

Congratulations
This Award is presented to
Blue Ridge Regional Library
for the outstanding customer of engaging content and representation of fresh marketing techniques via social media - including offering adaptive services, hosting multiple contests/giveaways, etc. This award reflects your dedication to showcasing quality content in Martinsville Library County. Your consistent efforts were greatly appreciated to bring a valued patron partner and us highly appreciated.

April 2021
Betsy Boudet
Team Marketing & Social Media for
Martinsville

Angela Wright
Your site person is fabulous!! Great marketing, and I loved the library always!!
Reply: Mike (1)

Rebekah Wyatt Campbell
I love how you make these great resources available. And you always go above and beyond. It's greatly appreciated. I love my library!!
Reply: Mike (1)

Heidi Leathers Camp
Thank you for curbside service!! It's been wonderful!! You guys rock!!
Reply: Mike (1)

Melanie Brown Rogers
Love the curbside service!! And many thanks to the crew at the Basnett location. (top notch job!!)
Reply: Mike (1)

Caroline Brink
The curbside service is top notch!! The Martinsville branch is the best!!
Reply: Mike (1)

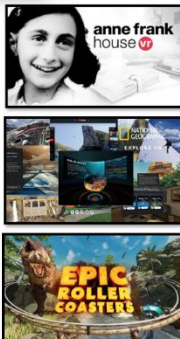
COMING SOON

QUEST 2

oculus
ocvrne

VIRTUAL REALITY

- EDUCATIONAL RESOURCES
- VIRTUAL TRAVEL & EXPLORATION
- GAMES

Consider approval of the quarterly finance report – Finance Director Mandy McGhee summarized the finance report. Vice Mayor Bowles made a motion to approve the finance report as presented; Council Member Martin seconded the motion with all Council Members voting in favor.

Consider adoption on first reading, Ordinance No. 2022-U- 1 authorizing contested reversion - City Attorney Monday detailed the need for the ordinance which was prepared by the City's reversion attorney. This ordinance is another step to activate a 3-judge panel and

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proceed with the contested reversion. The City worked closely with Henry County for 18 months in good faith on reversion negotiations until the County voted against the Voluntary Settlement Agreement. It's the City's position that all matters related to the County's breach of obligation will become part of the hearing once assigned to the 3-judge panel. This ordinance is a statutory requirement for Council to ask the Supreme Court of Virginia to appoint the 3-judge panel. Council Member Turner made the motion to adopt the ordinance on first reading. Vice Mayor Bowles seconded the motion. Council Member Martin asked about the amount of money invested on the studies and in negotiations with the County; would the City be able to reclaim that money back? The City will file with the arbitrator requesting the City be awarded all funds expended since the County agreed to begin reversion negotiations from September 2020 to December 2021. The County is lobbying to change the legislative structure that governs reversion which is also a violation of the VSA that they signed. It would be the City's position that any funds the City is currently having to expend to fight that effort in the General Assembly is also recoverable. Council Member Pearson asked if the Ordinance required a public hearing; Monday verified that it does not. Turner said that it is obvious that the County has participated in stall tactics to get to the General Assembly session to the point that they are trying to interfere in City Council elections. There was a 4-1 roll call vote: Council Member Turner, aye; Council Member Pearson, nay; Council Member Martin, aye; Vice Mayor Bowles, aye; and Mayor Lawson, aye. Monday explained that there will be a special meeting held on Thursday January 27, 2022 to vote on the second reading of the ordinance.

CITY OF MARTINSVILLE, VIRGINIA

ORDINANCE No. 2022-U-1

AN ORDINANCE TO PETITION THE CIRCUIT COURT FOR THE CITY OF MARTINSVILLE FOR AN ORDER GRANTING TOWN STATUS

WHEREAS, on December 10, 2019, the City Council voted in favor of the City of Martinsville's (the "City" or "Martinsville") reversion from an independent city to a town located within and constituting part of the County of Henry (the "County" or "Henry County"), following discussion and study regarding the feasibility of the same;

WHEREAS, on September 18, 2020, the City, by counsel and pursuant to Virginia Code § 15.2-2907(A), filed with the Commission on Local Government (the "Commission") a notice of its intent to petition for an order granting it town status, seeking to establish a traditional town-county relationship with Henry County, including the same rights, powers, and responsibilities as are granted to existing towns consistent with Virginia law, and this notice is incorporated herein by reference;

WHEREAS, pursuant to Virginia Code § 15.2-2908, the city-to-town reversion proceeding was deemed to have been instituted upon City's filing of the notice with the Commission;

WHEREAS, the City notified all local governments located within or contiguous to, or sharing functions, revenue, or tax sources with, the City of its intent to petition for an order granting it town status, seeking to establish a traditional town-county relationship with Henry County, including the same rights, powers, and responsibilities as are granted to existing towns consistent with Virginia law;

WHEREAS, on November 30, 2020, Henry County, by counsel, filed its response to Martinsville's notice of intent to petition for an order granting it town status;

WHEREAS, the City and the County entered into negotiations to seek a voluntary settlement of the city-to-town reversion proceeding;

WHEREAS, the City and the County entered into a Memorandum of Understanding dated April 29, 2021, in contemplation of a comprehensive settlement agreement providing for the City's reversion to town status and addressing the allocation of governmental services following that change in governmental structure, the transfer of certain properties, the sharing of certain revenues, a temporary moratorium of annexation rights, and other matters;

WHEREAS, on May 26, 2021, at a joint public meeting, the respective governing bodies of the City and the County approved the Memorandum of Understanding;

WHEREAS, the City and the County reached a Voluntary Settlement Agreement (the "Agreement"), pursuant to Title 15.2, Chapter 34 (§ 15.2-3400, et seq.) and Chapter 41 (§ 15.2-

4100, et seq.) of the Virginia Code and consistent with the terms of the Memorandum of Understanding;

WHEREAS, the reversion of Martinsville from an independent city to a town pursuant to the terms of the Agreement would have established a traditional town-county relationship between Martinsville and Henry County, with the same rights, powers, and responsibilities as other towns and counties, except as provided by special law or modified in the Agreement;

WHEREAS, the City and the County concluded that the City's reversion to a town located within and constituting part of Henry County in accordance with the terms of the Agreement meets the requirements of Virginia Code § 15.2-4106;

WHEREAS, on August 24, 2021, the respective governing bodies of the City and the County approved the Agreement by resolution, directing that the Agreement be referred for review by the Commission and stating their intention, after the Commission's review, to adopt the Agreement and thereafter to petition the appropriate Circuit Court to affirm and validate the Agreement and give it full force and effect;

WHEREAS, on August 25, 2021, the City and the County, by counsel, filed a joint notice with the Commission, requesting that the Commission review the Agreement, find that the City's reversion to town status pursuant to the Agreement is in the best interests of the Commonwealth, and recommend that the Agreement be affirmed and given full force and effect by a special, three-judge court;

WHEREAS, the Commission heard evidence and argument presented by the City and the County and conducted a hearing in September 2021 as required by law and issued its findings and recommendations in a report dated October 2021 (the "Report"), and this Report is incorporated herein by reference;

WHEREAS, the Commission's Report dated October 2021 found the City's reversion to town status to be in the best interests of the City, the County, and the Commonwealth and recommended approval by a three-judge, special court;

WHEREAS, on November 9, 2021, the City Council passed an ordinance approving and adopting the Agreement by recorded affirmative vote of a majority of its members, after having advertised its intention to approve the Agreement at least once a week for two successive weeks in a newspaper having a general circulation in its jurisdiction, containing a descriptive summary of the Agreement, and holding a public hearing on the Agreement prior to the adoption of the ordinance;

WHEREAS, on December 14, 2021, despite its many prior representations and commitments, the Henry County Board of Supervisors voted against an ordinance approving and adopting the Agreement by recorded vote of a majority of its members, for reasons other than the best interests of the City, the County, and the Commonwealth;

WHEREAS, Chapter 41 of Title 15.2 of the Virginia Code (§ 15.2-4100, et seq.) requires the City, subsequent to the Commission's review, to pass an ordinance by a recorded majority vote

of all the members of the City Council, to petition the Circuit Court for the City of Martinsville, alleging that the City meets the criteria set out in Virginia Code § 15.2-4106 for an order granting town status to the City;

WHEREAS, pursuant to Virginia Code § 15.2-4107, the three-judge, special court may, in its discretion, direct any appropriate state agency, in addition to the Commission, to gather and present evidence, including statistical data and exhibits, for the court, to be subject to the usual rules of evidence;

WHEREAS, pursuant to Virginia Code § 15.2-4106, the three-judge, special court shall enter an order granting town status if, after hearing the evidence, the court finds that criteria set out therein are met;

WHEREAS, based on the latest United States decennial census, the City has a current population of less than 50,000 people;

WHEREAS, Henry County is the adjoining county and will be made a party defendant to the proceedings;

WHEREAS, the proposed change from city to town status will not substantially impair the ability of the County to meet the service needs of its population;

WHEREAS, the proposed change from city to town status will not result in a substantially inequitable sharing of the resources and liabilities of the Town of Martinsville and the County;

WHEREAS, the proposed change from city to town status is, in the balance of equities, in the best interests of the City, the County, the Commonwealth, and the people of the City and the County;

WHEREAS, the proposed change from city to town status is in the best interests of the Commonwealth in promoting strong and viable units of government; and

WHEREAS, the change from city to town status should be under terms and conditions that ensure an orderly transition from city to town status; adjust financial inequities; balance the equities between the parties; and ensure protection of the best interests of the City, the County, the Commonwealth, and the people of the City and the County;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Martinsville, Virginia,

1. The City Council, by this Ordinance, herby declares that the City desires to revert to the status of a town within and constituting part of Henry County, pursuant to the provisions of Chapter 41 of Title 15.2 of the Virginia Code (§ 15.2-4100, et seq.).

2. The City Council, by this Ordinance, herby declares that the City desires the change from city to town status to be under terms and conditions appropriate to ensure an orderly transition from city to town status; adjust financial inequities; balance the equities between the parties; and ensure protection of the best interests of the City, the County, the Commonwealth, and the people of the City and the County.
3. The City Council hereby authorizes the City Manager and the City's legal counsel to petition the Circuit Court for the City of Martinsville for an order, pursuant to Chapter 41 of Title 15.2 of the Virginia Code (§ 15.2-4100, et seq.), establishing Martinsville as a town within and constituting part of Henry County, and Henry County shall be made a party defendant to the proceeding.
4. The City Manager and the City's legal counsel are hereby authorized to take all other actions, and to employ such special consultants as may be needed, to accomplish the objectives set forth in this Ordinance.
5. This Ordinance shall be in full force and effect on the date of its adoption.

Adopted this ____ day of _____, 2022.

Attest:

Karen Roberts, Clerk of Council

Business from the Floor – none

Comments by City Council – Council Member Martin wants to let citizens know that Council Members are human beings and are paid less than staff at fast food restaurants. Martinsville City Council Members get complaint calls at 2:00am regarding missed trash and get called out

January 25, 2022 Council Meeting

on Facebook. Martin asked residents to reach out to Council with concerns but to have some respect. Council Member Turner pointed out that the Lester Group has cleared property and leveled that area to replant and create a more aesthetically pleasing location. Vice Mayor Bowles agreed with Martin's statement. She loves to hear from residents but please don't yell at her or be rude. Bowles asked residents to support Piedmont Arts and to come watch her participate in Dancing with the Arts. The Public Works department does an excellent job especially during inclement weather. There will be COVID testing at the Armory Wednesday from 1230-4:00pm, free for the first 100 people, first come first serve. Bowles thanked Council for allowing her to participate by phone at the previous meeting. Mayor Lawson recognized City Attorney Monday who was inducted to the Virginia Law Foundation Fellowship. The Virginia Law Foundation Fellowship program recognizes the top 1% of lawyers practicing in Virginia. Lawson zoomed with 7th graders at Martinsville Middle School and stated that the kids asked some tough questions for about 2 hours as a preface for writing the If I Were Mayor essays. Lawson thanked the Public Works and Electric departments, they have had their hands full the past 3 weeks with the weather. Some mailboxes were damaged but Public Works has a list and those are being repaired. Lawson reminded Council to turn in their Statement of Economic Interest forms due by February 1.

Comments by the City Manager – City Manager Towarnicki recognized the Public Works department which has a number of new employees, and stated they did a great job working around the clock. Towarnicki explained that there is also a COVID issue in the department so they worked short staff. Turner asked for an update of the Dick and Willie trail at the last meeting; Towarnicki explained tentative plans for that project are scheduled for February or March. Temperatures are colder and utility bills are higher; he reminds citizens that the Utility Billing department is willing to work on a payment plan but residents must call to arrange that before the bill is past due. Towarnicki welcomed Kendall Davis who will be serving as the new Public Information Officer.

There being no further business, Turner made a motion to adjourn the meeting. The meeting adjourned at 8:50pm.

Karen Roberts, Clerk of Council

Kathy Lawson, Mayor