

AGENDA--CITY COUNCIL
CITY OF MARTINSVILLE, VIRGINIA

Council Chambers – Municipal Building
6:30pm Closed Session 7:00pm Regular Session
Tuesday April 26, 2022

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 Council Member Chad Martin

- 1. Approve minutes from the April 12, 2022 Council Meeting. (5 mins)
- 2. Hear an overview of the April 25, 2022 Southside neighborhood tour and meeting. (10 mins)
- 3. Read and present a proclamation recognizing the week of May 1 through May 7, 2022 as National Correctional Officers and Employees Week in the City of Martinsville. (5 mins)
- 4. Consider recognizing the month of May, 2022 as GBS/CIDP (Guillian-Barre Syndrome) and Chronis Inflammatory Demyelinating Polyneuropathy (CIDP) awareness month. (5 mins)
- 5. Read and present a proclamation acknowledging May 2022 as Building Safety Month. (5 mins)
- 6. Hear an update from Taxing Authority Consulting Services (TACS) on efforts related to delinquent tax collections, and approve a resolution authorizing the City Treasurer to employ the services of a private collection attorney to assist with the collection of all delinquent taxes. (15 mins)
- 7. Conduct a Public Hearing on the 2021 update of the Martinsville-Henry County Solid Waste Management Plan. (10 mins)
- 8. Consider adoption on first reading, Ordinance 2022-3 enacting or amending certain sections of the Code of the City of Martinsville regarding use of electric scooters. (15 mins)

9. Hear information related to possible use of ARPA funds for Uptown renewal. (15 mins)
10. Consider a request by the Virginia Municipal League to submit nominations for membership on the VML 2022 Policy Committees. (10 mins)
11. Hear a presentation of the proposed FY23 City budget. (45 mins)

12. Business from the Floor -

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](mailto: 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 April 25.* 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.

13. Comments by members of City Council. (5 minutes)
14. Comments by City Manager and City Attorney. (5 minutes)

Meeting Date: April 26, 2022

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes

Summary: None

Attachments: April 12, 2022 Council Meeting

Recommendations: Motion to approve minutes as presented.

Date: April 26, 2022

Item No: 2.

Department: City Council

Issue: Hear an overview of the April 25, 2022 Southside neighborhood tour and meeting.

Summary: A recap of the Southside neighborhood tour and neighborhood community meeting held at Fuller Memorial Baptist Church at 1204 Askin Street on Monday, April 25th will be given.

Attachments: None

Recommendations: This item is being presented for public information purposes – no action needed by Council.

Meeting Date: April 26, 2022

Item No: 3.

Department: City Council

Issue: Read and present a proclamation recognizing the week of May 1 through May 7, 2022 as National Correctional Officers and Employees Week in the City of Martinsville.

Summary: At the April 26 meeting, a proclamation will be read and presented recognizing the week of May 1 - 7, 2022 as National Correctional Officers and Employees Week. A representative from the Sheriff's Department will be present to accept the proclamation.

Attachments: Proclamation

Recommendations: Mayor to read and present the proclamation. No formal action by Council is necessary.



PROCLAMATION

National Correctional Officers and Employees Week

WHEREAS, in 1984, President Ronald Reagan signed Proclamation 5187, creating “National Correctional Officers’ Week” and each year the first full week in May is recognized to commemorate the contributions of correctional officers and personnel who work in jails, prisons, and community corrections across the country; and

WHEREAS, one of the primary goals for the City of Martinsville is to provide its citizens with an effective judicial system that concentrates on quality for all of our citizens; and

WHEREAS, the City of Martinsville’s dedicated correctional officers are essential to the success of our judicial process, and our correctional officers’ work includes daily exposure to a hostile environment with many of the most dangerous individuals in our society; and

WHEREAS, correctional officers contribute daily to the protection of our citizens by housing dangerous felons in a humane environment, often at great risk to the officers’ own protection; and

WHEREAS, the City of Martinsville is pleased to join with officials and distinguished correctional officers across America to recognize the achievements of these dedicated individuals. We are indebted to the International Association of Correctional Officers for continuing to emphasize the accomplishments of correctional officers worldwide;

NOW, THEREFORE, for these significant reasons, I, Kathy Lawson, Mayor of the City of Martinsville, Virginia, do hereby proclaim May 1-May 7, 2022 as **NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK** in the City of Martinsville and commend this observance to all of our citizens.

Kathy Lawson
Mayor

Date: April 26, 2022

Item No: 4.

Department: City Council

Issue: Consider recognizing the month of May, 2022 as GBS/CIDP (Guillian-Barre Syndrome) and Chronis Inflammatory Demyelinating Polyneuropathy (CIDP) awareness month.

Summary: The month of May has been designated as GBS/CIDP awareness month for the purpose of educating the public and focusing attention on the disorders known as Guillian-Barre Syndrome (GBS) and Chronic Inflammatory Demyelinating Polyneuropathy (CIDP). The GBS/CIDP Foundation International is asking local officials for their support.

Within the surrounding area there are approximately 432 people that are afflicted with one of these syndromes or variants of GBS/CIDP. In the state of Virginia there are over 1,032 diagnosed with one of the syndromes mentioned. Once afflicted, the effects of these syndromes are debilitating and can last a lifetime. The Foundation offers a support group that provides emotional support to patients and their families. This includes hospital visits, distribution of literature, organizing support group meetings and providing assistance during a very difficult time . In support of this effort, the City has been requested to designate May as GBS/CIDP Awareness Month.

Attachments: Proclamation recognizing May as GBS/CIDP Awareness Month.

Recommendations: Read and present the proclamation



Proclamation

RECOGNIZING THE MONTH OF MAY, 2022 AS GBS/CIDP AWARENESS MONTH

WHEREAS, The Month of May, has been designated as " GBS and CIDP Awareness Month " to educate the public and to focus attention on Guillain-Barre' Syndrome (GBS) and Chronis inflammatory Demyelinating Polyneuropathy (CIDP), rare, paralyzing and potentially Catastrophic disorders of the peripheral nerves; and

WHEREAS, the cause of GBS and CIDP is unknown. The length of the illness is unpredictable. It is characterized by rapid onset of weakness and often, paralysis of the legs, arms, breathing muscles and face. Usually, months of hospital care are required with patients and families facing an uncertain future, not knowing if and when recovery will occur. Some may face long-term disabilities of varying degrees. GBS or CIDP can develop in any person at any age, regardless of gender or ethnic background; and

WHEREAS, in 1980, the Guillain-Barre Foundation International (now the GBS/CIDP Foundation International), was founded to provide a support network to patients and their families through the national office headquartered in Philadelphia and its 180 chapters with more than 40,000 members throughout the United States, Canada, Asia, Europe, Australia, South America, and South Africa; and

WHEREAS, Rick Forney is the Liaison for the local area chapter serving as the link between patients, physicians, nurses, and families. The Foundation provides educational materials including a comprehensive booklet, " GBS, an Overview for the Layperson, " and newsletters as well as funding medical research and conducting symposia; and

WHEREAS, the Foundations Medical Advisory Board includes prominent neurologists active in GBS and CIDP research, leading physicians in rehabilitation medicine, and physicians who, themselves, have had the disorder;

NOW, THEREFORE, I Kathy Lawson, Mayor of the City of Martinsville, Virginia, do hereby proclaim the month of May, 2022 as " GBS/CIDP AWARENESS MONTH "in the City of Martinsville and I encourage all the citizens to recognize the importance of raising awareness of GBS and CIDP.

Kathy Lawson, Mayor

Meeting Date: April 26, 2022

Item # 5.

Department: Community Development/Inspections

Issue: Read and present a proclamation acknowledging May, 2022 as Building Safety Month

Summary: Every year, May is Building Safety Month, a public awareness campaign to help individuals, families and businesses understand what it takes to create safe and sustainable structures. The campaign reinforces the need for adoption of modern, model building codes, a strong and efficient system of code enforcement and a well-trained, professional workforce to maintain the system.

The campaign is presented by the International Code Council and its thousands of members worldwide along with a diverse partnership of professionals from the building construction, design and safety community. Corporations, government agencies, professional associations, nonprofits and more come together to support Building Safety Month because they understand the need for safe and sustainable structures where we live, work and play.

All communities need building codes to protect their citizens from disasters like fires, weather-related events and structural collapse. Building codes are society's best way of protecting homes, offices, schools, manufacturing facilities, stores and entertainment venues. Code officials work day in and day out to keep the public safe.

Attachments: Proclamation

Recommendation: Read and present the proclamation.



Proclamation

RECOGNIZING MAY, 2022 AS BUILDING SAFETY MONTH

WHEREAS, the City of Martinsville is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of disaster, and;

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play, and;

WHEREAS, our nation benefits economically and technologically from using the International Codes that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world;

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, energy efficient and livable buildings that are essential to America's prosperity, and;

WHEREAS, “Safety for All: Codes in Action,” the theme for Building Safety Month 2022, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, energy conservation; water safety; training the next generation; and new technologies in the construction industry.

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property;

NOW, THEREFORE, I, Kathy Lawson, Mayor, and members of Martinsville City Council hereby proclaim the month of May 2022 as Building Safety Month and ensure the City of Martinsville will continue to provide resources to effectively administer and enforce our adopted building codes codes and standards. We express our appreciation and support of those employees engaged in building inspection services and encourage our citizens to do likewise.

Kathy Lawson, Mayor

Meeting Date: April 26, 2022

Item No: 6.

Department: City Treasurer

Issue: Hear an update from Taxing Authority Consulting Services (TACS) on efforts related to delinquent tax collections, and approve a resolution authorizing the City Treasurer to employ the services of a private collection attorney to assist with the collection of all delinquent taxes.

Summary: At Council's meeting, Mr. Jeff Scharf from TACS will present information regarding their efforts, in working through the City Treasurer's office, to collect delinquent City real estate taxes.

Additionally, the City Treasurer is requesting adoption of a resolution authorizing employment of services of a private collection attorney to assist with the collection of all delinquent taxes and to authorize the imposition of a fee to cover the cost of retaining a private collection attorney.

Attachments: Information from TACS, resolution

Recommendations: Adoption of resolution (voice vote).



RESOLUTION

AUTHORIZING THE TREASURER TO EMPLOY THE SERVICES OF A PRIVATE COLLECTION ATTORNEY TO ASSIST WITH THE COLLECTION OF ALL DELINQUENT TAXES AND TO AUTHORIZE THE IMPOSITION OF A FEE TO COVER THE COST OF RETAINING A PRIVATE COLLECTION ATTORNEY

WHEREAS, pursuant to the City Code, the Treasurer's office is tasked with the duty of collecting all delinquent taxes due; and

WHEREAS, there are certain bills that the Treasurer's office has been unable to collect and the Treasurer's office seeks Council's approval to employ the services of a private collection attorney to assist with the collection of all delinquent taxes and other charges; and

WHEREAS, Section 58.1-3919.1 of the Code of Virginia allows the Treasurer, with approval of the Council to employ the services of a private collection attorney to assist with the collection of all delinquent taxes and other charges; and

WHEREAS, Section 58.1-3958 of the Code of Virginia allows the governing body to impose fees to cover the reasonable attorney's or collection agency's fees actually contracted for, not to exceed 20% of the amount collected and which fees are chargeable against the delinquent taxpayer;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Martinsville pursuant to Virginia Code Section 58.1-3919.1, that it hereby authorizes the Treasurer to employ the services of a private collection attorney to assist with the collection of all delinquent taxes; and

BE IT FUTHER RESOLVED that the Council of the City of Martinsville pursuant to the authority of Virginia Code Section 58.1-3958 authorizes the Treasurer to add a fee to all delinquent bills to cover the reasonable actual expenses of employing the private collection attorney.

* * * * *

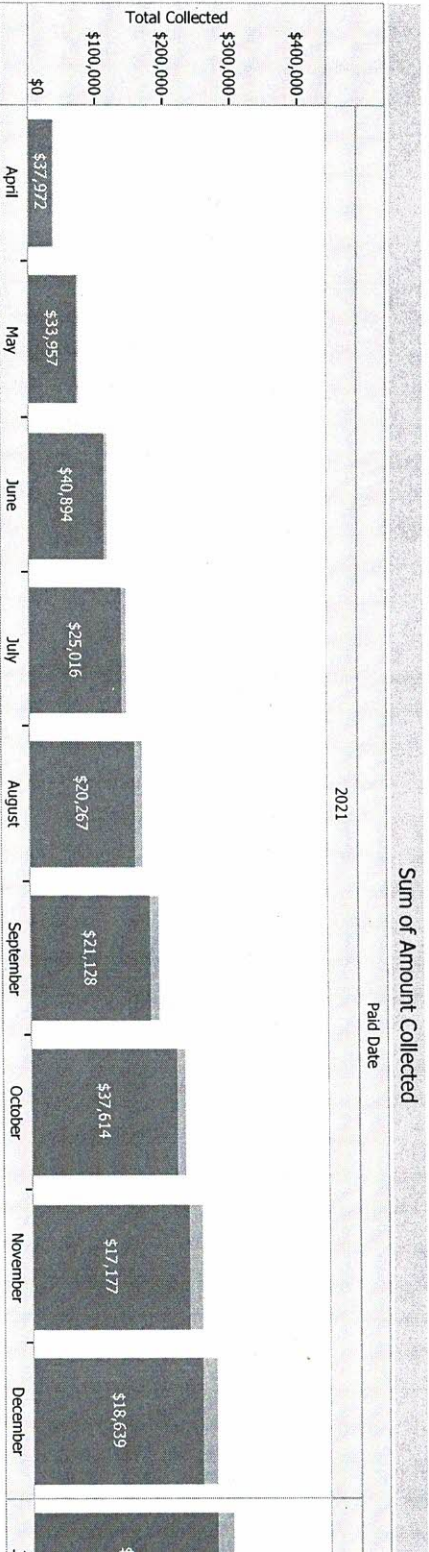
Attest:

Karen Roberts, Clerk of Council

Date Adopted: _____

Client Portfolio Collection Report

Client	Account Type	Last Assigned Date	Accounts Referred	Referred Amount	Cancelled Amount	Adjustments	Total Paid	Balance
City of Martinsville Liens	MTVL-LN	8/26/2021	222	\$389,977	\$0	(\$47,695)	\$46,235	\$296,282
City of Martinsville Real Estate	MTVL-RE	4/1/2022	1,119	\$3,452,608	\$26,350	(\$266,400)	\$1,148,886	\$2,010,054



Portfolio summary includes costs recovered and direct payments but no collection fee.
 Chart provides running sum of amounts collected without any costs of litigation, collection fees or direct payments to locality added.

Client ■ City of Martinsville Liens ■ City of Martinsville Real Estate

PORTFOLIO COLLECTION REPORT KEY	
Referred Accounts	Number of unique debtors referred (does not reflect number of parcels)
Amount Referred	Total portfolio assigned for collection including collection fees
Canceled Amount	Amount recalled or withdrawn per client due to statute of limitation or manual recall
Amount Adjusted	Adjustments made to loaded accounts; adjustments to fees, correction of balances and automated withdraws or recalls
Total Paid	Sum of amounts paid including collection fees
Balance Amount	Remaining amount due in collections including collection fees
Active Accounts	Number of unique debtors with obligations due (does not reflect number of unique parcels)
Percent Collected	Percentage of collection of amounts referred less cancelled and adjusted accounts
LITIGATION TRACKING REPORT KEY	
Pre Lit Initial Ad	Parcel has been advertised prior to litigation
Pre Lit Title Ordered	A title report has been ordered on the real estate
Pre Lit Title Review	Title has been received and is under review for preparation of legal documents
Pre Lit 3965	The required 30 day letter notices have been mailed
LIT Suit Filed	Lawsuit has been filed with the Court and papers are out for service of process
LIT Affidavits, Decree, Order Filed	Affidavit of Commissioner of Revenue, Treasurer Posted Service, Due Diligence, Order of Publication and GAL Decree has been filed
LIT Appraisal Ordered	Appraisal has been ordered if assessed more than \$100,000
LIT Decree of Sale Prep	Preparing Motion for a decree of sale hearing
LIT Decree of Sale Filed	Property is ready for decree of sale hearing to permit sale
LIT Auction Prep	Decree of Sale has been entered and property is being prepared for auction
LIT Decree of Confirm. Prep	Property has been auctioned and confirmation documents are being prepared for Court approval
LIT Decree of Confirmation Filed	Confirmation documents have been filed with the Court along with a proposed distribution method for the funds
LIT Deed Recordation and Disbursements	Decree of Confirmation has been awarded and remainder of funds have been requested from the high bidder to allow disbursements to be made
LIT Final Decree and Release Filed	All disbursements have been made and the matter is ready to close and be removed from the Court's docket
LIT Sub. of Counsel	Requesting Court to allow the substitution of counsel
LIT Other	Litigation matter is on hold (reasons may vary)
LIT Nonsuit Filed	Case is dismissed
LIT Comm. in Chancery	Awaiting hearing report from the commissioner in chancery
LIT Excess Proceeds	The Court is holding excess funds from the last auction for 2 years from Confirmation
LIT Bankruptcy Hold	The owner of the real estate is in bankruptcy
Pre Lit and Lit Payment Plans	The property is on an active payment plan and is monitored monthly for compliance
NJS	Property has been selected for nonjudicial sale qualification
NJS Title Ordered	Title has been ordered on the NJS property
NJS Title Review	Title has been received and is being reviewed on the NJS property
NJS Auction Prep	NJS property is ready and is being prepared for an upcoming auction
NJS Deed Prep	Auction concluded and the deed conveying the NJS property is being prepared for filing (Disbursements have been made)
NJS Excess Proceeds	Excess proceeds have been forwarded to the locality to be held for 2 years from auction

Litigation Bin Tracking (Summary Report)

4/4/2022 3:01:59 AM

Name	Number of Records	Sum Of Account Balance	Unique Count Debtors
Pre-Lit Initial Ad	792	\$381,759	66
Pre-Lit 3965	75	\$59,599	5
LIT Suit Filed	55	\$55,425	5
LIT Affidavits Decree Order Filed	26	\$3,013	1
LIT Decree of Sale Prep	244	\$166,398	7
Pre-Lit Payment Plans	67	\$46,940	3
LIT Payment Plans	42	\$12,420	2
NJS Auction Prep	14	\$7,872	1
Pre-Lit Bankruptcy Hold	7	\$678	1
Pre-Lit NJS	1,944	\$350,140	109
Pre-LIT Other	31	\$30,376	2
Grand Total	3,297	\$1,114,620	202



City Council Agenda Summary

Meeting Date: April 26, 2022

Item No: 7.

Department: Public Works

Issue: Conduct a Public Hearing on the 2021 update of the Martinsville-Henry County Solid Waste Management Plan.

Summary: Section 9 VAC 20-130-10 *et seq* of the Solid Waste Planning and Recycling Regulations, requires that solid waste management planning units submit a plan update on a 5-year cycle. The City's last SWMP update was submitted at the end of December 2016, with the 5 year update now due.

The City and Henry County (including the Town of Ridgeway) have submitted joint plans previously and will do so again with the current update with the City's solid waste engineering consultant, LaBella Associates handling the project. The Public Hearing is required to fulfill the public participation element of the plan and Henry County will likewise hold their hearing in April.

Staff will provide a brief summary and address any questions from Council or the public concerning the updated plan during the Public Hearing. As noted in the public hearing advertisement, copies of the plan have been placed for public review at the Library on East Church Street, in the Martinsville Public Works office, Room 226 of the Municipal Building, and at the Henry County Administration Building. Additionally, a link to the plan was posted on the City's website for viewing via the Internet.

Attachments: None

Recommendations: Staff recommends adoption of the Solid Waste Management Plan update, subject to any changes resulting from the Public Hearing or public review process.

Meeting Date: April 26, 2022

Item No: 8.

Department: City Attorney

Issue: Consider adoption on first reading, Ordinance 2022-3 enacting or amending certain sections of the Code of the City of Martinsville regarding use of electric scooters.

Summary: In 2021, the City was approached by a representative of Bird, a company that partners with localities to bring electric scooter programs generally to downtown business areas to promote mobility while using electric rechargeable scooters. A number of discussions took place and ultimately, a survey was conducted with the assistance of Uptown Partnership to determine the level of interest by business owners and operators in the Uptown area in such a program. The responses to the survey were overwhelmingly in support with almost 80% of respondents in favor.

A number of City Code changes are necessary to allow electric scooters to operate in the Uptown area and should Council decide to allow scooters, the proposed ordinance changes reflect experiences in other Virginia localities which have allowed scooters, and are designed to address permitting, safety, and parking of scooters while not in use. Mr. Chris Stockwell with Bird will participate virtually to provide additional information and answer questions.

Attachments: Draft ordinance 2022-3

Recommendations: Consider adoption on first reading by roll call vote.



City of Martinsville, Virginia

Ordinance No. 2022-3

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in Regular Session held on May10, 2022, that the Code of the City of Martinsville be enacted or amended, specifically that:

Section 12-68 be amended;

Sections 12-177 & 118, currently reserved, be enacted;

Chapter 12, Article VI, Sections 12-140, 12-142 & 12-155 be amended;

Section 19-22 be amended;

and Section 19-23, currently reserved, be enacted;

all as follows:

Sec. 12-68. - Application of article; definitions.

(a) The provisions of this article regulating the stopping, standing and parking of vehicles in this city shall apply at all times or at such times as specified herein or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with traffic or in compliance with the directions of a police officer or a traffic-control device.

(b) As used in this article, the term "vehicle" shall be construed to include everything encompassed by the term "vehicle," as that term is defined in section 46.2-100 and 46.2-800 of the Code of Virginia, and also scooters and bicycles.

(c) Whenever the term "chief of police" is used in this article, it shall include any acting chief of police or any police officer to whom the chief of police has delegated the responsibility for the duty described.

Sec. 12-117. - Parking on sidewalk, pedestrian crossing or driveway.

(a) It shall be unlawful for any person to park a vehicle on or near a sidewalk or pedestrian crossing in such a way as to block or obstruct the free passage of pedestrians or with any portion of the vehicle on or overhanging any portion of the sidewalk.

(b) It shall be unlawful for any person to park a vehicle, including a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard, in such a manner as to block in whole or in part any driveway or entryway.

Sec. 12-118. - Parking in public rights-of-way.

It shall be unlawful for any person to park a bicycle, skateboard, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard in a manner that unreasonably impedes pedestrian or vehicular traffic on a public roadway, shared-use path, or sidewalk. For purposes of the section, parking unreasonably impedes pedestrian traffic on a sidewalk when it leaves a route width of less than four (4) feet.

ARTICLE VI. – BICYCLES, MOPEDS AND SCOOTERS

Sec. 12-140. - Definition, age of operation.

- (a) The term "bicycle" as used in this chapter, shall be deemed to mean any device propelled solely by human power, having pedals, two (2) or more wheels, and a seat height of more than twenty-five (25) inches from the ground when adjusted to its maximum height (a recumbent device shall be deemed a bicycle regardless of a seat height). For purposes of the city code, a bicycle shall be a vehicle when operated on a highway, street or alley.
- (b) For purposes of this chapter, the term "bicycle" shall also include mopeds as defined in Section 46.2-100, of the Code of Virginia, and all sections in this chapter shall apply to both bicycles and mopeds unless otherwise specifically stated. Mopeds are defined as a conveyance that is either (a) a bicycle-like device with pedals and a helper motor (gas or electric powered), which is rated at no more than two (2) brake horsepower and produces speeds up to a maximum of thirty (30) miles per hour or (b) a motorcycle with an engine displacement of fifty (50) cubic centimeters or less and a maximum speed of less than thirty (30) miles per hour.

(c) For purposes of this chapter, the term "bicycle" shall also include scooters, whether motorized or not motorized, as defined in Title 46.2 of the Code of Virginia.

(d) No person under the age of sixteen (16) years shall operate a moped as defined in this chapter, or a bicycle with a helper motor that is classified as a moped, or a scooter, on any highway or public vehicular area of the city.

(Ord. No. 2003-11, 9-9-2003)

Sec. 12-142. - Sale, rental of bicycles and mopeds-information required.

Information regarding the sale or rental of bicycles and mopeds and scooters shall be available to the city treasurer upon request.

(Ord. No. 2003-11, 9-9-2003)

Sec. 12-155. - Impoundment of abandoned or unregistered bicycles and mopeds.

(a) Any unattended bicycle found under such times and circumstances that indicate it has been lost or stolen, or in a manner which in the reasonable professional opinion of a law enforcement officer violates and section of the either this Code or the Code of Virginia, shall be deemed abandoned. If a reasonable attempt to locate the owner or user in the immediate vicinity of the bicycle fails to produce the owner or user, any bicycle so abandoned shall be taken into custody and impounded by the chief or police or any officer of the police department.

(b) No abandoned bicycle or moped shall be released or removed from impoundment except upon satisfactory showing of ownership and in the case of mopeds, display of a city registration certificate and proper display of a tag or number plate by the owner or an agent of the owner.

(c) If an abandoned bicycle or moped is not reclaimed, within thirty (30) days from the date of impounding, the chief of police or his agent shall provide for the public sale of such bicycle or moped.

(d) Any bicycle or moped found and delivered to the police department by a private person which thereafter remains unclaimed for thirty (30) days after the final date of publication as required herein may be given to the finder; however, the location and description of the bicycle or moped shall be published at least once a week for two (2) successive weeks in a newspaper of general circulation in the city. In addition, if there is a decal affixed to the bicycle or moped, the record owner shall be notified directly.

(Ord. No. 2003-11, 9-9-2003; Ord. No. 2006-3, 4-25-2006)

Sec. 12-117. - Parking on sidewalk, pedestrian crossing or driveway.

(a) It shall be unlawful for any person to park a vehicle on or near a sidewalk or pedestrian crossing in such a way as to block or obstruct the free passage of pedestrians or with any portion of the vehicle on or overhanging any portion of the sidewalk.

(b) It shall be unlawful for any person to park a vehicle, including a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard, in such a manner as to block in whole or in part any driveway or entryway.

Sec. 12-118. - Parking in public rights-of-way.

It shall be unlawful for any person to park a bicycle, skateboard, electric personal assistive mobility device, electric power-assisted bicycle, motorized foot-scooter, or motorized skateboard in a manner that unreasonably impedes pedestrian or vehicular traffic on a public roadway, shared-use path, or sidewalk. For purposes of the section, parking unreasonably impedes pedestrian traffic on a sidewalk when it leaves a route width of less than four (4) feet.

Sec. 19-22. - Skating and skateboarding in the city.

(a) It shall be unlawful and a Class 4 misdemeanor for any person over the age of fourteen (14) years to skate on any paved public sidewalk of the city.

(b) It shall be unlawful for any person [to] ride or ~~use~~ use rollerskates, rollerblades, skateboards, ~~scooters~~ or similar devices on wheels or runners in any area whatsoever located within the area bounded as follows: beginning at the intersection of Market Streets and Commonwealth Boulevard, thence along Market Street to its conversion to Mulberry Road; thence along Mulberry Road to Oakdale Street, thence along Oakdale Street to East Church Street, thence along East Church and its conversion to Church Streets and including those lots on the north side thereof and Letcher Court and Scuffle Hill Road and their adjoining lots; thence along Clay Street and those adjoining lots on the eastern side thereof to Mineral Street; thence along Mineral Street to Lester Street; thence along Lester Street to Depot Street; thence along Depot Street to its intersection with Liberty Street; thence along Liberty Street to Commonwealth Boulevard; thence along Commonwealth Boulevard to the point of beginning; provided however, that this prohibition shall not apply to on-duty police or other law enforcement officers and other uniformed emergency services personnel.

(c) A violation of subsection (b) shall be subject to a civil penalty of fifty dollars (\$50.00).

(1) Any city officer, or employee of the city who is (a) responsible for the enforcement of any provision of this code, (b) wearing a uniform and (c) carrying identification, may approach and question any person concerning a civil violation of this code and may cause a notice of the violation to be served on any or all persons committing or permitting such violation.

(2) The notice shall state that the person served has been charged with violating this subsection and shall provide that the person may elect to make an appearance in person before or in writing by mail to the treasurer of the city, and admit liability for or plead no contest to the violation and pay the civil penalty, all within the time period fixed in the notice.

(3) If a person charged with a violation does not elect to admit liability or plead no contest the violation shall be tried in the Martinsville general district court upon a warrant in debt or motion for judgment, with the same right of appeal as provided for civil actions at law. In the event the violation exceeds the jurisdictional limits of the general court, the violation shall be tried in the circuit court.

(4) A finding or admission of liability for, or a plea of no contest to, a civil violation shall not be deemed a criminal conviction for any purpose. An admission of liability shall have the same force and effect as a judgment in court.

(Code 1971, § 15-11; Ord. No. 2013-1, 2-12-2013)

Sec. 19-23. - Storing, etc., goods on sidewalk or in gutter.

It shall be unlawful for any person to store, keep or expose for show, sale, or rental any goods, wares, vehicles, or other merchandise or property on public right-of-ways without a license, permit, or franchise issued by the city. Any such merchandise or property encroaching on public rights-of-way without a license, permit, or franchise may be taken into custody and impounded by the chief of police, any officer of the police department, or any employee of the department of public works, and require the payment of a reasonable fee as established by the city manager for such impoundment prior to the return of such merchandise or property.

* * * * *

Attest:

Karen Roberts, Clerk of Council

Date: April 26, 2022
Item No: 9.
Department: City Manager, City Attorney

Issue: Hear information related to possible use of ARPA funds for Uptown renewal.

Summary: At several previous Council meetings, staff has presented information on possible uses of ARPA funds for a variety of City projects and needs. Council has voted to approve a number of projects listed on the original presentation. One suggestion in particular has generated considerable public comment and discussion and that was in regard to a suggested use of \$4.5M for Uptown renewal. In an effort to obtain public input, a public input session was held by Council, an on-line survey was made available, and an email address was established for that purpose.

At the meeting on April 26, the results of the survey will be presented and suggestions will be reviewed regarding possible allocation of funds as well as a possible committee structure for review of requests.

Attachments: Suggestions for use of ARPA funds, results of surveys.

Recommendations: This item is being presented for Council's consideration and discussion.



SUGGESTIONS: ARPA FUNDING FOR UPTOWN MARTINSVILLE

“Uptown” is the same footprint as the Enterprise Zone & Arts and Cultural District, recognizing the central importance of Uptown to regional economic development and revitalization.

\$4.5 Million from ARPA funds will be allocated to Uptown:

\$1M for property acquisition

\$0.75M for development of a public attraction (park, other)

\$0.5M for streetscape improvement

\$0.5M for support of Uptown Partnership

\$0.25M for Chamber/CPEG façade improvement program (Note, continued existing support for Chamber/CPEG @ \$60K/yr. plus all revenue from the Incubator, is in the general budget)

\$0.25M for Uptown property maintenance enforcement

\$0.25M for Uptown marketing

\$1M in utility waiver grant incentives for existing or new businesses

Utility Waiver Grants would be administered by a committee of five, consisting of two Council members, one from a list of three submitted by Uptown Partners, one from a list of three submitted by Chamber/CPEG, and one at-large appointment taken from citizen applicants.

Community Development, Uptown Partners and Chamber/CPEG shall each independently review Utility Waiver Grant applications and shall make a recommendation as to viability & advisability; only applicants with approval from all 3 shall be considered by the committee. Applications must include a comprehensive business plan, and an estimate of the positive economic impact on Martinsville. For-profit businesses, non-profits, and private developers are all eligible. All proposals must be complete by 12/31/2026.

American Rescue Plan Act Funding Survey

MARCH 24-APRIL 8, 2022

Survey Summary

- A survey was conducted at the request of City Council to collect citizen input on how the American Rescue Plan Act (ARPA) funds should be used.
- The survey opened on March 24th and concluded on April 8th.
- Participants were required to list their address to confirm their residential status before completing the survey.
- 122 total responses were collected.

Suggested Uses

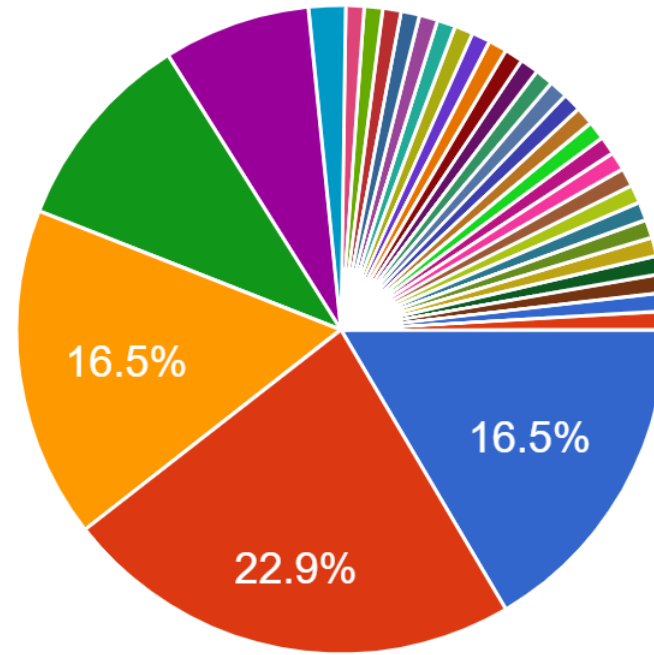
- Five suggested uses were included on the survey based on feedback received during public input hearing.
- Uptown revitalization was not included due to amount feedback at hearing supporting revitalization.
- “Other” option was added on March 25th for people who did not want to select from the 5 options.

Results: 109 responses

- Affordable Housing- 25
- Homeless Shelter/Recovery- 18
- Relief for Small Businesses- 18
- Rebranding Campaign- 11
- Minority Business Support- 8

Other Responses: 29

- Infrastructure
- Youth Development Facilities
- Uptown Revitalization



- Homeless Shelter/Recovery
- Affordable Housing
- Direct Financial Relief for Small Busin...
- A Rebranding Campaign
- Minority Business Support

Open Responses

Many responses echoed the votes in the “suggested uses” and a number of open responses do not qualify for ARPA funding. 81 open responses were submitted.

Notable and detailed responses included:

- Grant funding for the Boys and Girls Club of the Blue Ridge to find a permanent location.
- Demolition and rehabilitation projects along Church and Fayette Streets.
- Affordable high speed internet.
- New city building phone system.
- Underground electrical system.
- Investment in area childcare.
- Development of a city attraction, i.e. entertainment venue or family activities to attract visitors.

Date: April 26, 2022

Item No: 10

Department: City Manager

Issue: Consider a request by the Virginia Municipal League to submit nominations for membership on the VML 2022 Policy Committees.

Summary: Annually, City Council submits nominations for membership to the 6 VML policy committees. Pre-Covid, the committees typically would meet at least once during the summer (and other times as may be needed) for the purpose of developing broad policy statements in addition to submitting specific legislative recommendations for consideration by the Legislative Committee. Recently, the committee meetings have been held virtually.

The 2021 Policy Committee assignments were as follows:

Community & Economic Development – Tammy Pearson & Chad Martin

Environmental Quality- Eric Monday

Finance – Leon Towarnicki

General Laws – Danny Turner

Human Development & Education –Jennifer Bowles

Transportation- Kathy Lawson

Please note that in 2022 there are now 5 committees instead of 6. Transportation & Environmental are being combined into one new committee called Infrastructure.

Attachments: Information from VML

Recommendations: Council discussion and decision regarding 2022 committee assignments.

VML's Policy Committee Process

Each year the Virginia Municipal League convenes policy committees to involve members in the development of policy statements to guide the League staff and members through the coming year.

Policy committees give members an opportunity to hear from subject matter experts on issues of interest and to talk with colleagues from across VML's member localities about issues of common concern.

The policy committees also help develop potential positions for inclusion in VML's Legislative Program by looking at issues referred to the committee by the Legislative Committee and providing input to that Committee.

The policy committees meet once during the year, typically in late July. Meetings are held in person if feasible, or by Zoom if necessary and practical.

In 2022, we have combined two policy committees into one – environmental quality and transportation. The new committee is named "Infrastructure" and will address issues concerning environmental services and transportation.

FAQs about policy committees

What is the role of the policy committees?

Policy committees receive briefings on select statewide issues, consider possible changes to the policy statement, and develop legislative recommendations for the Legislative Committee to consider.

How are policy committees appointed?

Policy committee membership consists of elected and appointed officials of full-member local governments. Nomination information is sent in the spring to each locality, and each local government determines which of its officials will be nominated for each of the six policy committees. Each local government may nominate up to two people per policy committee, at least one of whom must be an elected official.

What are the benefits of serving on a policy committee?

VML policy committees offer members an opportunity to learn about current and emerging statewide issues that affect local governments, to develop through policy statements the broad philosophical framework that guides the league, and to network with local officials with similar policy interests.

How many policy committees are there?

There are five policy committees: community and economic development, finance, general laws, human development and education, and infrastructure (comprised of transportation and natural resources issues).

What issues does each policy committee cover?

- **Community & Economic Development:** Authority, administration, and funding of local governments to manage a full range of community and economic development issues, including business development and retention, international competitiveness, infrastructure development and investment, planning, land use and zoning, blight, enterprise zones, housing, workforce development and historic preservation.
- **Finance:** Powers, organization, and administration of local government financing, including taxing authority, debt financing, state aid to local governments and federal policies affecting local finance issues.
- **General Laws:** Powers, duties, responsibilities, organization, and administration of local governments, including state-local and inter-local relations, conflicts-of-interest, freedom-of-information, information management and personnel, telecommunications, utilities, and law and courts issues.
- **Human Development and Education:** Management and funding of social services, pre-k-12 education, health, behavioral health, juvenile justice and jails, recreation, and aging.
- **Infrastructure:** Development, management, maintenance, and funding of environmental programs including water resources and quality, air quality, and waste management as well as transportation system management and funding.

What is a policy statement?

Each policy committee develops a policy statement that covers issues in its respective area. The policy statement expresses the agreement of VML's membership on matters of interest to local governments. The statement generally addresses broad, long-term, philosophical positions. The VML membership approves the policy statements at its annual meeting.

How do policy statements differ from VML's legislative program?

Policy statements are general in nature. They reflect local governments' positions on a range of issues. The Legislative Program is more specific and immediate. It is limited to legislative positions that VML expects to lobby on during the upcoming legislative session.



April 11, 2022

To: VML Key Officials and Clerks
From: Michelle Gowdy, Executive Director
Subject: 2022 VML Policy Committee Appointments and Meetings

It's time once again to begin the VML policy process.

Each year we ask our full-member local governments to nominate their governing body members and appointed staff who are interested in participating in VML policy committee.

The policy committees will meet once this year in late July; we are still determining whether to hold the meetings in person or virtually via Zoom. Committee meeting dates and times will be announced soon.

We are making a change in two committees this year. We are combining issues from Environmental Quality with Transportation and renaming the combined committee Infrastructure.

We are attaching the 2021 committee lists so you can see who from your local government served on the committees last year. Your representatives can stay on the same committees as in the past or they can move to a different committee. If you had a participant on Environmental Quality, they will be added to the new combined Infrastructure committee.

If no one served on a committee last year, you can make some appointments this year! Just remember that an individual can only serve on one committee per year.

Please use the nominations form to fill in your committee nominees for this year and email the form to Joni Terry at VML, jterry@vml.org by May 30.

An explanation of the areas covered by the policy committees and an explanation of the policy process is attached.

Please email Janet Areson (jareson@vml.org) if you have any questions.

VML 2022 Policy Committee Nominations

Please return this form by **May 30** to Joni Terry at VML, email: jterry@vml.org

Community & Economic Development

Name & Title: _____

Name & Title: _____

Finance

Name & Title: _____

Name & Title: _____

General Laws

Name & Title: _____

Name & Title: _____

Human Development & Education

Name & Title: _____

Name & Title: _____

Infrastructure (covering Transportation and Environment/Natural Resources)

Name & Title: _____

Name & Title: _____

Signed: _____ Locality: _____
(Mayor/Chair, or Manager/Administrator)

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT



Date: April 26, 2022

Item No: 11

Department: City Manager

Issue: Hear a presentation of the proposed FY23 City budget.

Summary: The proposed FY23 budget for the City will be presented. Budget work sessions will be held on Wednesday, April 27 with City Schools, the Fire & Police departments, and capital (if time allows); on Tuesday, May 3 with certain outside agencies, City departments and constitutional offices; and on Wednesday, May 4 as a continuation of any remaining business, discussion, resolve questions as may be needed, and to wrap up. Sessions will begin at 6 pm and will last until approximately 9 pm in Council Chambers.

The proposed schedule calls for the budget public hearing on Tuesday, May 10th along with adoption of the budget ordinance on first reading, followed by final approval/adoption of the budget ordinance on second reading at Council's second May meeting on the 24th.

Attachments: None. The FY23 budget document will be presented at the April 26 meeting.

Recommendations: Set the FY23 budget public hearing for May 10, 2022. (motion, second, voice vote).