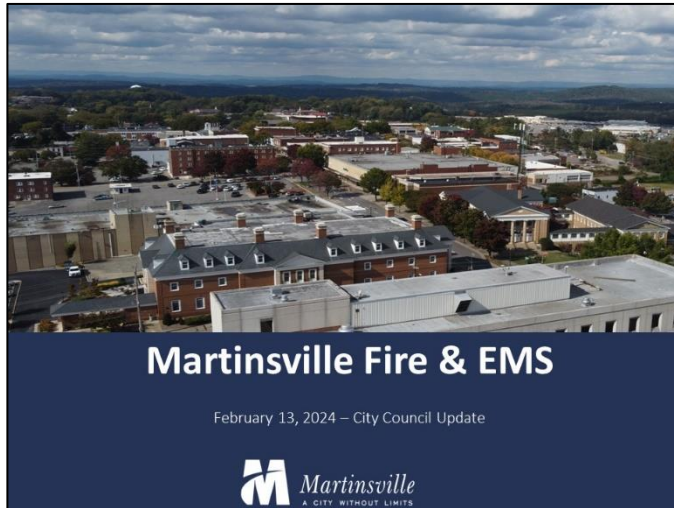


February 27, 2024 Council Meeting

A Work Session and Briefing was held at 5:00 pm in room 208, Martinsville City Municipal Building on February 27, 2024. Mayor Jones, Vice Mayor Rawls, Council Member Lawson, Council Member Pearson, Council Member Mitchell, City Manager Aretha Ferrell-Benavides, Chief Operating Officer Edena Reese-Atmore, Finance Director Mandy McGhee, Assistant Finance Director Crystal Ferguson, Community Development Director Keith Holland, Public Information Officer Kendall Davis, and Police Chief Rob Fincher

Police Chief Rob Fincher presented a Quarterly Update PowerPoint.



Departmental Divisions

- Fire and EMS Divisions
 - Administrative Personnel – 3
 - Operational Shifts – 24 (2 – Vacancies)
 - FF/ALS – 22
 - FF/BLS – 2
 - Part-Time Firefighters - 5
- Fire Marshal's Office
 - Fire Marshal - 1
 - Part-Time Fire Marshals – 2
- Non-Emergency Transport Division
 - EMT's – 2
- Emergency Management and Safety Division
 - Emergency Management Coordinator – 1
 - Assistant Emergency Management Coordinator – 1
- Community Health Worker
 - Grant funded
 - Currently vacant. Using grant funds to pay personnel to handle referrals
 - Grant terminates at the end of June 2024

Daily Staffing

E-1 – 2-3 Personnel
M-1/L-1 (ALS)– 2 Personnel
M-3/E-3 (ALS)– 2 Personnel

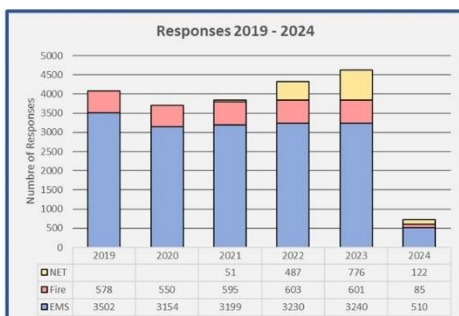
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Departmental Statistics

Fire Division		
Activity Type	2023	2024 YTD
Fire Responses	415	64
Fire Mutual-Aid Provided	7	5
Fire Mutual-Aid Received	17	4
EMS Responses	3104	470
EMS Mutual-Aid Provided	151	13
EMS Mutual-Aid Received	67	14
Community Health Worker	144	6
Non-Emergency Transports	776	122
Total Responses	4295	662
Non-Response Activities	2023	January 2024
Total Shift Training Hours - Fire and EMS	5220	440.5
Station Tours/Individuals	187	0
Off-Site Public Education/Individuals	4285	0
Child Safety Seat Installations	50	3
Smoke Detectors Installed	952	60
Pre-Plans/Walk Throughs Conducted	44	3
Confined Space Stand-By	0	2
Fire Safety Inspections	217	24
Fire Investigations	6	2

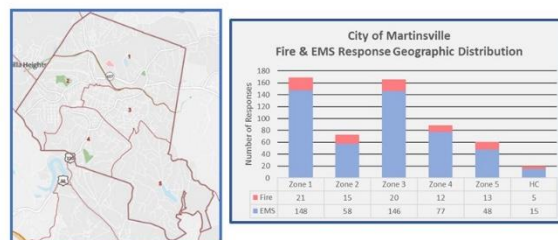
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Departmental Responses



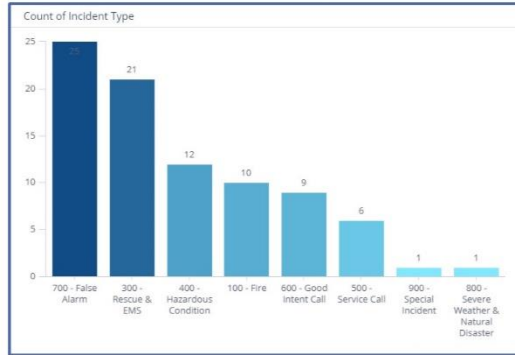
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Geographical Distribution of Responses - 2024



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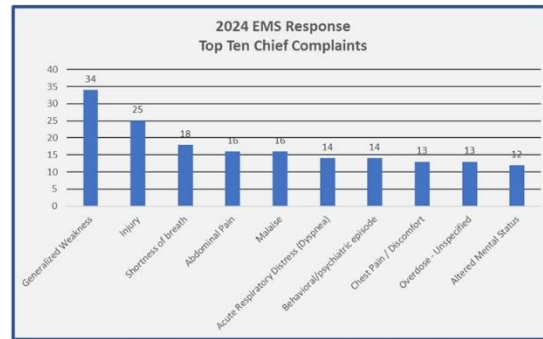
Fire Incident Types Through January 2024



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City of Martinsville

EMS Responses - 2024



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City of Martinsville

Budget – Fiscal Year 2024

Revenues

Transport Type	FY 2023	FY 2024
Emergency Transport	\$ 555,363.79	\$ 360,779.33
Non-Emergency Transport	\$ 161,128.14	\$ 79,253.52
Total	\$ 716,491.93	\$ 423,892.50

Expenses

Division Name	FY 2024 Budgeted	FYTD
Fire	\$ 2,783,740.00	\$ 1,477,032.00
EMS	\$ 285,445.00	\$ 191,212.15
Non-Emergency Transport	\$ 161,472.00	\$ 83,894.18
Emergency Management/Safety	\$ 238,301.00	\$ 176,301.79
Total	\$ 3,468,958.00	\$ 1,928,440.12
Percentage Used (Target is 58%)		56%

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City of Martinsville

Questions?

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City of Martinsville

The Fire Department Quarterly Update was rescheduled for the next meeting.

Regular Session began at 7:00pm in the Council Chambers

Call to Order – Mayor Jones welcomed everyone to the meeting, pointing out that agendas could be found on the wall in the back of the room and on the City's website.

Pledge to the American Flag and Invocation by Council Member Kathy Lawson.

Proclamations and Presentations – Council Member Lawson read the proclamation which was presented to Barry Nelson, 2024 TIME Dealer of the Year for Virginia.



PROCLAMATION

BARRY NELSON

WHEREAS, Barry Nelson of Autos by Nelson in Martinsville, Virginia was honored with the esteemed TIME Dealer of the Year award at the 2024 National Automobile Dealers Association (NADA) Show in Las Vegas, Nevada. Nelson was chosen from 16,000 dealers nationwide to represent the Virginia Automobile Dealers Association. This accolade is considered a significant honor within the auto industry, highlighting successful dealership operations and deep-rooted commitment to community service, and

WHEREAS, Nelson began his journey in the auto industry right after graduating from George Washington Carver High School. He joined the family-owned Ford store in Bassett, Virginia under his father G.R. Nelson's leadership. Nelson mastered the intricacies of the car business by working through every position at the dealership. This hands-on experience gave him the expertise to manage, and eventually spearhead their own auto group, and

WHEREAS, the Nelson family name grew stronger as they expanded their reach by acquiring various franchises and stores. Today, their umbrella company, Autos by Nelson, boasts several new car dealerships across Virginia, housing major brands such as Chevrolet, Ford, GMC, Honda, and others, and

WHEREAS, Nelson is passionate about giving back to the community. He has coached American Legion Baseball for over 16 years, generously supports the Martinsville Community Recreation Association, and played a pivotal role in establishing the Patrick & Henry Community College (PHCC) baseball program. His dedication to community growth extends beyond sports; his involvement with the Martinsville Henry County Chamber of Commerce and the Henry County Industrial Development Authority showcases his commitment to local business growth and job creation, and

WHEREAS, in recognition of his longstanding service to the community, the Virginia Automobile Dealers Association Committee not only selected Nelson for this prestigious award but also awarded a monetary reward of \$10,000 for Nelson to donate to a charity of his choice.

NOW THEREFORE, I, LC Jones, Mayor of Martinsville, call upon the citizens of Martinsville to honor and recognize Barry Nelson for this honorable recognition and for his commitment and dedicated work within Martinsville and Henry County.

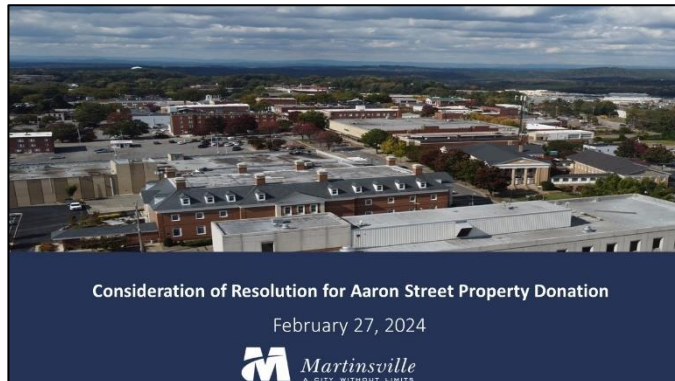
LC Jones, Mayor

Consent Agenda – Mayor Jones shared the items listed under the Consent Agenda including State Grant Appropriation, Virginia Department of Transportation Commitment and Signatory Resolution, Consideration of Amendments to Nuisance Code Ordinance and the Budget Calendar. Council Member Lawson made a motion to approve all consent agenda items; Council Member Lawson seconded the motion. Vice Mayor Rawls said the work session was over the allotted time and he doesn't feel that enough time was spent discussing the Nuisance Code Ordinance. Council agreed to move the ordinance discussion forward to the Regular Agenda/New Business section of the agenda. City Manager Ferrell-Benavides confirmed that Council would be voting to approve the State Grant Appropriation, the Transportation Commitment and Signatory Resolution, and Budget Calendar only. All Council Members voted in favor.

Public Hearing – Community Development Director Keith Holland explained the need for the public hearing to receive citizen input on the consideration of the Ordinance to Amend and Restate the Establishment of the Martinsville Land Bank Authority. Approval of the ordinance is urgent. Holland provided a PowerPoint to better explain the need for changes. Mayor Jones opened the public hearing. John Stiltner with Landmark Asset spoke and offered to answer any questions Council may have. City Manager Ferrell-Benavides pointed out that City Council could no longer serve as the Land Bank Authority. Council Member Lawson made a motion to adopt

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the ordinance to amend and restate the establishment of the Martinsville Land Bank Authority. Council Member Mitchell seconded the motion. Council Member Pearson asked how the new board was selected. Ferrell-Benavides explained that they looked at existing individuals; because this is a state-established board, we needed to get the transfer, and they looked at individuals who had already gone through the ethics filing process. It's much like the IDA and there are several areas of conflict of interest that will exist. This board will allow internal employees to serve. Our goal is not long range, but we needed to move expeditiously because of the ongoing projects. Roll Call vote 5-0 in favor of approving the ordinance: Mitchell, aye; Lawson, aye; Rawls, aye; Pearson, aye; and Jones, aye.



Purpose

- The Martinsville Redevelopment and Housing Authority (MHRA) will need to approve a Resolution for Property Donation Option Agreement
- Authorize a letter of commitment of \$500,000 of ARPA funds as a low-interest 3% loan to support the project
- Authorize the transfer of the property to Mid-Atlantic Foundation, a North Carolina non-profit, who in turn will donate the property back to Aaron Street Lofts, LLC as a capital contribution
- All actions effective upon transfer of the property from the Martinsville Land Bank Authority to the MHRA

Questions?

Regular agenda or New business: MRHA Resolution for Donation Option Agreement for Aaron Mills Senior Housing Project - Council Member Lawson made a motion to recess as City Council and convene as the Martinsville Redevelopment Housing Authority. Vice Mayor Rawls seconded the motion, with all Council Members voting in favor. Community Development Director Keith Holland explained the purpose of the resolution. The MRHA would need to approve the resolution for the Property Donation Option Agreement and authorize a letter of commitment for \$500,000 in ARPA funds as a low-interest 3% loan to support the project. Holland requests MRHA authorize the transfer of the property to MidAtlantic Foundation, a North Carolina non-profit that, in turn, would donate the property back to Aaron Street Lofts as a capital contribution with all actions effective upon transfer of the property from the Martinsville Land Bank Authority to the MHRA. Housing Authority Member Lawson made the motion to approve the resolution; Housing Authority Member Pearson seconded the motion. Housing Authority Vice Chair Rawls questioned the transfer from a nonprofit to a for-profit for

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business purposes, has shut down some civic duties, and asked for more explanation. John Stiltner with Landmark Asset explained the process and the need for the transfer, and the various “moving parts” to be handled in that way. All Council Members voted in favor of approving the resolution. Housing Authority Member Lawson made the motion to adjourn as MRHA and reconvene as City Council; Housing Authority Vice Chair Rawls seconded the motion with all Council Members voting in favor.

Extension of Sales Agreement with Kayak Hotel Group - Community Development Director Keith Holland explained the need for an extension of the sales agreement with Kayak Hotel Group. Due to delays in submission of the required Erosion and Sediment Control Plan to the Virginia Department of Environmental Quality, Kayak Hotel Group is requesting an extension of the contract for sales agreement dated December 1, 2023. They request an extension of the due diligence period for 90 days to May 28, 2024. The amendment of the agreement must also be approved by the Martinsville Industrial Development Authority. No adverse impacts are anticipated by this extension request. Vice Mayor Rawls made a motion to adopt the resolution related to the extension; Council Member Lawson seconded the motion with all Council Members voting in favor.

ARPA Funding Update – City Manager Aretha Ferrell-Benavides and Finance Director Mandy McGhee provided a PowerPoint on the ARPA funding. Vice Mayor Rawls made a motion to adopt the updated ARPA project list with the clarification that the Council retains the initial amount approved for community branding and marketing, at least until they can discuss it further in a work session. Council Member Lawson seconded the motion, with all Council Members voting in favor. Mayor Jones would like to take the ARPA list home to review and then reconvene another day. Vice Mayor Rawls made a motion to accept the ARPA expenses as presented for Inspections, The Berkley Group expense. MiNET, the jail roof, the water generator for the pump house, and the updated asset plan for the water/sewer department. Lawson seconded the motion and questioned if the bus stop should be added. Mayor Jones would like to add the Youth Employment program and asked if the chiller is an immediate need. Council Member Pearson questioned the status of the Fire Department roof. Ferrell-Benavides said there is still time to make additional approvals for items not quite as urgent. Rawls requested that the Council approve the water/sewer plant roof, which should have been in last year's capital, so it needs to be done. Lawson confirmed that Council would be approving Inspections, The Berkley Group, MiNET, the Jail roof, asset management updates, the water/sewer plant roof, the Youth Employment program, and the water generator for the pump house. All Council Members approved the motion.

Consideration of amendments to the Nuisance Code Ordinance – Community Development Director Keith Holland briefly explained the need for amendments to the ordinance.

City of Martinsville, Virginia

Ordinance No. 2024-1

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in Regular Session held February 27, 2024 that Sections 13-37, 15.5-21 and 15.5-22 of the Code of the City of Martinsville be amended to hereafter read as follows:

Sec. 13-37. Excessive growth of grass, weeds, etc., on vacant property.

(a) It shall be the duty of the owner of any parcel of land in the city to cut or cause to be cut all grass, weeds or like vegetative growth so that such growth at no time exceeds a height of eighteen (18) inches above the ground unless such growth, due to unusual physical characteristics of the property is deemed by the director of public works to not create a potential threat to public health or safety; and it shall be the duty of the owner of any legally established lot situated in the city fronting a city-maintained public street to cut thereon any weeds, brush, grass or like vegetative growth if an occupied building or residence is situated on an adjacent lot, subject to the following:

- (1) All grass, weeds or like vegetative growth shall be cut so that no such growth exceeds at any time a height of ten (10) inches above ground for a depth of eighty (80) feet from the street line measured at ninety (90) degrees with the street line; and
- (2) Such vegetative growth shall be cut as often as necessary to comply with the standards stated herein, which shall be no less frequent than two (2) times per year between May 15 and June 15; and between August 1 and September 1.

The director of public works may grant a variance from these requirements if, in his opinion, steep slopes or terrain make it impractical to cut such vegetative growth as described above provided that the intent of these requirements is complied with. Should the owner of any such property fail or refuse to abide by this requirement, the director of public works shall give a written notice to such owner requiring him to cut or have cut such grass, weeds or vegetative growth within fifteen (15) days after the date of the notice.

(b) The notice referred to in subsection (a) above shall be given to the owner by personally serving a copy of such notice on the owner or his agent or by mailing a copy to the owner at his last known post office address by registered or certified mail, return receipt requested, or if the owner or his address is unknown, by publication of such notice in a newspaper of general circulation in the city once per week for two (2) successive weeks. A copy of such notice sent to the owner by registered or certified mail at the address of such owner listed on the land books of the city shall be deemed sufficient and equivalent to notice having been received by the owner, regardless of whether such copy is returned undelivered or not.

(c) Upon the failure or refusal of the owner, after serving of the notice pursuant to this section, to cut or cause to be cut the grass, weeds or vegetative growth within the time provided, the director of public works may have the necessary work done by city employees or city agents under contract. All of the actual costs and expenses of such work, plus the cost of serving the notice, shall be chargeable to and paid by the owner of the property. Any bill sent to the owner which is not paid within thirty (30) days shall be transmitted to the city treasurer, who shall include such bill in the next regular real estate tax bill sent to the owner. Every such charge with which the owner has been assessed and which remains unpaid after the deadline for the payment of the next installment of real estate taxes shall constitute a lien against such property; provided, however, that such lien shall be recorded in the same manner as liens for real estate taxes are recorded. It shall be the duty of the city treasurer to assure the proper recording of any such lien.

(d) The failure or refusal of any property owner to comply with the terms of any notice to cut grass, weeds or other growth served pursuant to this section shall constitute a Class 4 misdemeanor. In any prosecution, there shall be a rebuttable presumption that any growth exceeding three (3) feet in height creates a potential threat to public health or safety.

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(e) Nothing in this section shall be construed to require the cutting of any tree or ornamental shrubbery, unless it is creating a safety hazard.

(f) In the event that the director of public works finds it necessary to abate violations of this section in accordance with subsection (c) herein, upon the fourth such abatement within a calendar year for any specific parcel the director of public works may have such property reseeded in non-invasive clover or other non-invasive, low-growth vegetative cover as the director deems appropriate.

Charter reference(s)—Authority of city to require premises be kept clean, sanitary and free from weeds, Ch. 1, § 2(20).

Cross reference(s)—Penalty for Class 4 misdemeanor, § 1-11; removal or screening of accumulations of waste material on private property, § 18-2.

State law reference(s)—Authority for above section, Code of Virginia, §§ 15.2-901, 15.2-1115.

Sec. 15.5-21. Nuisances prohibited; term defined.

It shall be unlawful for the owner or owners, occupant or occupants of any property or premises located in the city to create, cause, or permit the continuation of any nuisance. The term "nuisance" to include, without limitation, the examples set forth as follows:

- (1) Any condition which is breeding ground or harbor for mosquitoes or a breeding ground for rats or other pests.
- (2) Any place of weeds, grass or other noxious vegetation over ten (10) inches in height that is within fifty (50) feet of an inhabited residence or other occupied structure.
- (3) An open place of collection of water where insects tend to breed. For the purposes of this chapter, an "open place of collection of water" shall be held to mean and be that contained in ditches, pools, ponds (natural or artificial), excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, partially disassembled vehicles, defective house roof gutters, tanks of flush closets or similar containers.
- (4) An open place of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, debris from the clearing or grading of lots, old clothes, rags or any other combustible materials or objects of a like nature.
- (5) An open place of collection of garbage, food waste, animal waste or other rotten or putrescible matter of any kind.
- (6) Any furniture, appliance or other metal products of any kind or nature openly kept which have rough or jagged edges of metal or glass.
- (7) Any furniture or other articles not specifically intended for outdoor use or exposure to the elements and which would tend to absorb or retain moisture thereby attracting insects, pests or vermin.
- (8) Any accumulation of rubbish, trash, old building materials or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the habitation of mice, snakes or vermin of any kind which may be dangerous or prejudicial to the public health.
- (9) Any condition detrimental to the public health which violates the rules and regulations of the health department.

The code official heretofore designated by council to enforce the building maintenance code in the city and alternatively the city attorney are hereby vested with discretionary authority to decline to undertake enforcement

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of this section with respect to nuisances which are (a) deemed to be of a private nature between neighboring property owners, or (b) deemed not to constitute a public nuisance, or (c) not visible to the unaided eye from street or ground level outside the boundaries of the property on which the subject nuisance exists.

Sec. 15.5-22. Notice of abatement; correction by city.

(a) Whenever it shall be reported to the code official heretofore designated by council to enforce the building maintenance code in the city that there exists on any lot or parcel of land in the city any such nuisance, he shall forthwith give the owner or owners, occupant or occupants of said premises written notice to promptly remove, raze, or abate such nuisance and specify a reasonable time for such discontinuance or abatement. The council conclusively finds that three (3) days from the receipt of such notice is a reasonable amount of time for completion of removal razing or abatement of any nuisance, and also finds any longer period prescribed by the notifying official to be reasonable. Such notice shall be in writing and shall be served upon the owner or owners, occupant or occupants by mailing a copy thereof to the last known post office address of said person or persons, or by delivery in person or by delivering it and leaving it in possession of any person in charge of the premises, or by posting the notice in a conspicuous place on the premises if such person or persons cannot be found on said premises; and if the person or persons receiving the notice to abate fail to comply within the given period of time, the code official shall cause the corrections to be made, either through other city agencies or by contract or arrangement with private persons, and charge and collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes.

(b) In the event that the director of public works finds it necessary to abate violations of section 15.5-21 of the city code in accordance with subsection (a) herein, upon the fourth such abatement within a calendar year for any specific parcel the director of public works may have such property reseeded in non-invasive clover or other non-invasive, low-growth vegetative cover as the director deems appropriate.

Attest:

Karen Roberts, Clerk of Council

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Communications from Visitors / Business from the Floor – Noone approached the podium.

Comments by Members of City Council – Council Member Mitchell attended two events this month celebrating Black History Month and for the first time, he feels that residents “showed

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up” to recognize black history. Council Member Pearson thanked PIO Kendall Davis for his work putting together the Expo this past weekend, and she looks forward to working on additional events in the City going forward. Pearson encourages residents to contact Council Members with input. Fast Track is March 6 at the Clock Tower in Martinsville with over 125 businesses exhibiting. Pearson informed residents of the Visit Martinsville App and encouraged them to download it. Council Member Lawson thanked staff, and Council Members involved in the City’s BHM event. The next Hazardous Waste Day is April 13, 2024, at the Bassett PSA warehouse. Vice Mayor Rawls shared details on potential energy and electric funding through the state with an explanation of how the City purchases power. Mayor Jones thanked residents for attending the meeting and thanked volunteers for assisting with this past weekend's event. Jones invited Pastor Caleb Robinson to offer the invocation at the end of the meeting.

City Manager Ferrell-Benavides thanked the children who volunteered for the BHM event. Martinsville is a member of the National League of Cities, and she hopes that the Council will continue to participate in this organization as they continue to move the City forward. Aretha and the Mayor will be attending a meeting on March 11, so the March 12 meeting will be moved to March 19. Aretha mentioned Fast Tract on March 5 and 6, 2024. There will be a Council Retreat soon to discuss the vision for the city.

Monthly Financial Update – Finance Director Mandy McGhee presented the Financial Update.

Pastor Robinson offered a closing invocation.

Adjournment – Council Member Lawson made a motion to adjourn the meeting at 8:30 pm.

Karen Roberts, Clerk of Council

LC Jones, Mayor