October 20, 2020

The Second Regular October meeting of the Danville City Council was held on October 20, 2020, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Samuel A. Kushner, Barry P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield Jr., and City Clerk Susan M. DeMasi.

INVOCATION

The Invocation was given by Sherman M. Saunders and followed by the Pledge of Allegiance.

Mayor Jones requested a Motion to add a Closed Session to the agenda. Council Member Campbell **moved** to add the Closed Session item to the Agenda. The Motion was **seconded** by Council Member Saunders and carried by the following vote:

VOTE:	9-0
AYE:	Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY:	None

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones recognized Sheila Williamson Branch, Treasurer for the City of Danville who discussed certifications obtained in her office by staff and noted that the Treasurer's Office has been recognized for the achievement of accreditation from the Treasurer's Association of Virginia. Council Members congratulated Ms. Branch on this achievement, and thanked her for all that she does for the City.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Harold Garrison, Danville, VA, who noted his anger and disappointment regarding the Council's urgency to vote on a new Police Station, stating he was angry that Council could not wait for the November 3rd vote and disappointed that they placed the wants of the developer before the wishes of the citizens.

CONSENT AGENDA

Council Member Buckner **moved** for adoption of the following Consent Agenda items:

Minutes from the September 15, 2020 Regular Council meeting. Draft copies of the minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2021 Budget Appropriation Ordinance for a Grant from the US Department of Justice in the Amount of $91,550

An Ordinance entitled, Ordinance No. 2020-10.02, Amending the Fiscal Year 2021 Budget Appropriation Ordinance by Increasing Revenue from the United States Department of Justice Community Policing Development Program Grant in the Amount of $91,550 for Use in Establishing a Program for Proactive Police Response to Prevent Domestic Violence.

The Motion was **seconded** by Council Member Whittle and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

GENERAL FUND FINANCIAL REPORT

Director of Finance Michael Adkins gave the General Fund Financial Report as of September 30, 2020 noting this marks 25% of the current fiscal year to date. Under Revenues, the collection of delinquent property tax accounts was doing well this year, both for Real Estate and Personal Property. The City has collected $85,000 more for real estate than the prior year, at 38% of budget; Personal Property was $82,000 over last year. The City occasionally has a public auction of delinquent tax parcels and were hoping to schedule one around November 19th; they were looking at details to maintain social distancing related to COVID. The current year tax bills for the first half will be mailed out the first week of November; as they move through the next few months, he will have comments on the collection of those taxes. Overall, local taxes were about $200,000 over last year, all of that was due to Sales Tax. As he commented last month, sales tax was outperforming the prior year. Last week, they received their installment for August retail sales and it was the highest one received in October for August for at least the past ten years; sales tax was at 27% of budget. Meals and Hotel Tax were still a little sluggish with the restrictions placed upon restaurants, and having less travel than usual. However, they were not doing too bad, meals tax was coming in at 24% of budget, just 1% and about $62,000 behind where the City was last year. Hotel tax was about 23.5% of budget, just 1.5% behind budget and about $28,000 less than last year; staff hopes these will improve as the year goes on. The only other revenue item that had some decrease was Charges for Services; this was primarily related to Parks & Rec. A lot of their programs normally held in July, August and September could not be done this year because of the pandemic. However, related expenses in Parks & Rec have also been affected. While charges for services were down $145,000, the Parks & Rec expenses were down about $130,000; they were at 19% of budget this year.

Departmental Expenditures show departmental spending was at 23% of budget and under Non Departmental, the most significant expense in that category was group health insurance; currently that was at 24.5% of budget. The current audit was going on for FY 2020 and it should be wrapping up the next three to four weeks. Brown, Edwards will probably come before Council at the December 15th meeting to present the report.

APPOINTMENTS

Vice Mayor Miller **moved** for adoption of the following Resolutions:

Resolution No. 2020-10.09 - Appointing Faye Brown as a Member of the Danville Redevelopment and Housing Authority.

Resolution No. 2020-10.10 – Reappointing Vanessa Cain as a Member of the Danville Redevelopment and Housing Authority.

Resolution No. 2020-10.11 – Reappointing Courtney Nicholas as a Member of the River District Design Commission.

Resolution No. 2020-10.12 – Reappointing Andrew Hessler as a Member of the River District Design Commission.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

NEW BUSINESS

CONSIDERATION OF THE ACQUISITION OF PARCEL #24277 ON STOKES STREET

Council Member Campbell **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2020-10.13

APPROVING AND AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY IDENTIFIED AS PARCEL 24277 FOR STREETSCAPING ALONG STOKES STREET

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

CONSIDERATION OF THE ACQUISITION OF PARCEL #21548 ON PAXTON STREET

Council Member Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2020-10.14

APPROVING AND AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY IDENTIFIED AS PARCEL 21548 FOR STREETSCAPING ALONG BERRYMAN AVENUE

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

CONSIDERATION OF THE ACQUISITION OF PARCEL #20792 ON LEE STREET

Council Member Buckner **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2020-10.15

APPROVING AND AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY IDENTIFIED

AS PARCEL 20792 FOR STREETSCAPING ALONG LEE STREET

The Motion was **seconded** by Council Member Whittle.

Council Member Whittle questioned these items and Assistant City Attorney Ryan Dodson explained all three represent parcels that used to have a house on them, and were demolished because of blight. Currently, there were large tax liens on the properties that exceed the value of the lot. Staff was in the process of doing tax foreclosures on these three, and by acquiring them in this way, they cut the process down by a year and save the City money. In the Lee Street parcel, one of the neighbors has expressed an interest in acquiring the lot, so the City could have that back on the tax rolls in the next few months.

The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

APPROVAL OF FREE BUS SERVICE IN THE CITY OF DANVILLE ON ELECTION DAY

Council Member Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2020-10.16

AUTHORIZING THE DANVILLE TRANSIT SYSTEM TO OFFER FREE BUS SERVICE ON TUESDAY, NOVEMBER 3, 2020

The Motion was **seconded** by Council Member Mayo and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

COMMUNICATIONS

City Manager Ken Larking noted he wanted to remind Council and the public that the City had one town hall meeting related to the Investing in Danville committee; there was another on Thursday from 2:00 p.m. to 4:00 p.m.; that meeting will be virtual and will have a sign language interpreter. Some of the themes heard on the first town hall included education, work force training, neighborhood infrastructure, housing improvements, home ownership, tourism, blight, historic preservation, public safety, enhanced offender programs, and economic development. It will be good to hear from more of the community, and there were also surveys the public can fill out. Once the town halls and surveys were complete, the Investing in Danville group will compile those results and provide a report to City Council, probably sometime in November.

City Attorney Clarke Whitfield noted he wanted to recognize Assistant City Attorney Alan Spencer and publicly acknowledge and thank him for all the hard work he did behind the scenes in bringing Dr. Hairston to the City.

There were no communications from Deputy City Manager or City Clerk.

Council Member Vogler noted the Heels to Heal event this past Saturday at Two Witches was a wonderful fundraiser; what they raised far exceeded their fundraising goal. Mr. Vogler noted he was excited about Danville's future, believes the City was on the cusp of many great things and it was because there were strong, resilient people in the City. The citizens move forward, they don't return to yesterday, they build a better tomorrow, work towards what can be, lift others up and work for one another. Mr. Vogler reminded citizens to vote.

Council Member Whittle noted on the police station item, he still has some struggles with it and hopes the City Manager will make the Council understands all the costs incurred with that property before they sign off on it.

Council Member Buckner noted this Saturday was the Bridge Street Food Truck Rodeo, it will be socially distanced with a different set up and a limited amount of people let in at a time. Mr. Buckner noted this could be the most important election for the City coming up on November 3rd and encouraged everyone to go out and vote; the bus rides would be free in Danville.

Council Member Campbell commended the City Manager for the way he has engaged with the citizens regarding the benefits of the casino locating in Danville. Personally he has received controversial comments, but he tells people it was more than just gambling, it was entertainment and conferences coming to the area, which was a big plus. Mr. Campbell noted his agreement with Mr. Buckner and Mr. Vogler, this was a very important time, encouraged people to go vote, and make it a personal experience. It was important to show children the importance of voting; this was a democracy and everyone had the right to vote.

Council Member Kushner noted his agreement with the comments made by Mr. Buckner and Mr. Vogler; this was a critical election for Danville, and for the nation at all levels of government. The City needed to elect a Council Member, a new Fifth District representative, a senator and a president, and was hoping the City would see the biggest turnout of voters in any election seen in years. Mr. Kushner noted he watched the town hall meeting, they were a real opportunity for participatory democracy. Caesars has the potential of being the greatest financially positive impact for the community in many, many years, and how the money was spent should the referendum pass, was also critically important. He was impressed by the number of people who participated on the 15th, and the nature of the questions and comments that were made. This was an opportunity for the community to tune in, participate and send in their questions.

Council Member Mayo noted his agreement with Council Members, it was a critical election and encouraged citizens to exercise their right to go out and vote. Mr. Mayo thanked the City Manager for all he does behind the scenes, along with Mr. Reynolds, keeping Council informed. The engagement with the town hall was good, and encouraged the citizens to ask the questions, that was their time to ask. Mr. Mayo noted he was proud of the movement in Danville, that the City continues to move forward, and noted his congratulations to the School Board on the nomination of Dr. Hairston.

Vice Mayor Miller noted the next City Council meeting will not be on Election Day, it will be moved to November 5th. Dr. Miller noted the City had a very powerful Electoral Board; Peggy Petty was the registrar and the Electoral Board has Neal Morris, Ralph Hogg, and Sylvester Jennings. This will be a fair election in Danville. Dr. Miller stated what was decided in Council Chambers and at the State level was more important than the presidential level in people's day to day lives. City Council needs to be made whole again with nine members and asked people to vote, and decide

who they want to be as a council member. Dr. Miller noted the resort casino if it does not pass, there will be gambling in Danville that passed last year, historic horse racing was legal in Danville. There will be most probably a Rosie's-like facility in Danville without the resort attached to it, and asked citizens to think carefully about the vote.

Council Member Saunders confirmed Council would not be meeting on November 3rd, but on November 5th. Mr. Saunders noted his congratulations to Sheila Williamson Branch on being certified and accredited for the City's Treasurer's office. Mr. Saunders noted he cast his first vote when he was a young soldier in Germany using an absentee ballot, has not missed an election since, and encouraged everyone to please vote.

Mayor Jones noted the *Virginia Town and City* magazine, on page thirty eight, has a picture of Sherman Saunders and a great article. Mayor Jones noted he appreciated the City Attorney introducing Alan Spencer this evening; they were at the Institute with the City Manager and himself for a meeting and he did a great job. Mayor Jones stated he attended the town hall, the City Manager did a great job with the questions like he always does. Mayor Jones encouraged citizens to get out and vote; Council voted for free bus service on Election Day to get citizens to the polls.

CLOSED MEETING

At 7:42 p.m., Vice Mayor Miller **moved** that this meeting of the City Council of the City of Danville, Virginia be recessed and that Council immediately reconvene in a Closed Meeting for the following purposes: discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected as permitted by Subsection (A)(6) of Section 2.2-3711 of the Code of Virginia, 1950, as amended more specifically to consider discussion or consideration of an intergovernmental agreement involving the investment of public funds where negotiation and bargaining are involved; and discussion of a private personal matter not related to public business as permitted by Subsection (A)(4) of Section 2.2-3711 of the Code of Virginia, 1950 as amended.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE:	9-0
AYE:	Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY:	None

Upon unanimous vote at 7:52 p.m., Council reconvened in open session, and Vice Mayor Miller moved for adoption of the following Resolution:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Council convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia, 1950, as amended, requires a Certification by the Council that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open meeting

requirements of Virginia Law under Section 2.2-3711 were heard, discussed or considered, and (ii) only such public business matters as were identified in the Motion by which the Closed Meeting was convened were heard, discussed or considered by the Committee.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Kushner, Mayo, Miller, Saunders, Vogler and Whittle (9)
NAY: None

ADJOURNED: 7:54 P.M.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK