

October 6, 2020

The Regular October meeting of the Danville City Council was held on October 6, 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 Vice Mayor Gary P. Miller; the Invocation was followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones read a Proclamation entitled Head Start Awareness Month in the City of Danville, and presented it to Tara K. Martin, Executive Director of Danville Head Start.

Mayor Jones read a Proclamation entitled Fire Prevention Week and presented it to Richard Guill, Assistant Fire Marshall and Tim Duffer, Deputy Fire Chief.

Mayor Jones recognized Sheriff Mike Mondul who gave an update on the COVID outbreak at the City Jail, and Assistant Chief of Police Dean Hairston who discussed procedures Adult and Juvenile Detention were following for COVID.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Michael Elder of Charlottesville, Virginia who discussed the Corona Virus, and also discussed the police department, and crimes that have been ignored in the City.

Mayor Jones recognized Lucida Vasquez, 1586 Fulton Heights who spoke about COVID in the City Jail.

Mayor Jones recognized Detra Betts, Executive Director of Haven of the Dan River Region who discussed the upcoming Heels to Heal event; Sheila Baynes reviewed other upcoming fundraising events for Haven.

MEETING MINUTES

Upon **Motion** by Council Member Campbell and **second** by Council Member Buckner, Minutes from the September 1, 2020 meeting were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

APPROVING AND AUTHORIZING A CABLE FRANCHISE AGREEMENT WITH VERIZON

Mayor Jones opened the floor for a Public Hearing regarding a Cable Franchise Agreement with Verizon. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 22, 2020 and September 29, 2020. No one present desired to be heard and the Public Hearing was closed.

October 6, 2020

Council Member Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2020-10.01

APPROVING AND AUTHORIZING A NEGOTIATED FRANCHISE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS.

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

Council Member Kushner expressed concern with this item, stating the ordinance will grant Verizon a ten year franchise. He was aware this was a non-exclusive franchise; if someone else wants to come into this market and provide alternate services for equal or superior value they were welcome to do so. Mr. Kushner noted he would like to call for a Substitute Motion that the Council approve an ordinance granting Verizon a five year, non-exclusive franchise. The Substitute Motion was **seconded** by Council Member Whittle. Mr. Whitfield explained Council would first have to vote on the Substitution Language and if that passes, then vote on the Substituted Motion as a whole. Council Member Vogler questioned, was there a particular reason why they wanted ten years. Assistant City Attorney Ryan Dodson explained ten was the number of years they offered; it was an area of discussion they can have with them. Mr. Vogler noted he was fine with five years, and Mr. Dodson noted he will reach out to the company the next day; Mr. Whittle noted he thought they should negotiate a lessor rate as well. Mr. Dodson stated it was his understanding the amounts the City asked for were the maximum they were allowed to ask for under state law.

The Motion for the Substitute Language was **carried** by the following vote:

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

Council Member Buckner **moved** for adoption of the Substitute Motion.

APPROVING AND AUTHORIZING A NEGOTIATED FRANCHISE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

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

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

RESOLUTIONS IN SUPPORT OF PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION SMART SCALE PROJECTS

CONSIDERATION OF A VIRGINIA DEPARTMENT OF TRANSPORTATION SMART SCALE APPLICATION FOR PIEDMONT DRIVE PEDESTRIAN ACCESSIBILITY IMPROVEMENTS

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

RESOLUTION NO. 2020-10.01

October 6, 2020

ENDORSING A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF PIEDMONT DRIVE PEDESTRIAN ACCESSIBILITY IMPROVEMENTS.

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 A VIRGINIA DEPARTMENT OF TRANSPORTATION SMART SCALE APPLICATION FOR RIVERSIDE DRIVE IMPROVEMENTS FROM ARNETT BOULEVARD TO MAIN STREET

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

RESOLUTION NO. 2020-10.02

ENDORSING A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM ARNETT BOULEVARD TO MAIN 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 A VIRGINIA DEPARTMENT OF TRANSPORTATION SMART SCALE APPLICATION FOR RIVERSIDE DRIVE IMPROVEMENTS FROM PINEY FOREST ROAD TO AUDUBON DRIVE

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

RESOLUTION NO. 2020-10.03

ENDORSING A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM PINEY FOREST ROAD TO AUDUBON DRIVE.

The Motion was **seconded** by Vice Mayor Miller and carried by the following vote:

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

October 6, 2020

CONSIDERATION OF A VIRGINIA DEPARTMENT OF TRANSPORTATION SMART SCALE APPLICATION FOR RIVERSIDE DRIVE IMPROVEMENTS FROM PARK AVENUE TO WESTOVER DRIVE

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

RESOLUTION NO. 2020-10.04

ENDORSING A SMART SCALE APPLICATION BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF RIVERSIDE DRIVE IMPROVEMENTS FROM PARK AVENUE TO WESTOVER DRIVE.

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

Mr. Whittle questioned this item and City Engineer Brian Dunevant noted this item, from Park Avenue to Westover, were safety improvements along the Riverside corridor and sidewalks on both sides. Mr. Whittle questioned if they were getting sidewalks from IHOP over to Piedmont Drive and Mr. Dunevant noted that was the first item, that would be sidewalks coming down Holt Garrison Parkway where the sidewalk ends on Piney Forest Road, turning on Lowe's Drive going toward Wal Mart, continuing on Collins Drive around Piedmont Drive, a little on Piedmont Drive and then connecting over to the Mall. Mr. Whittle questioned from Piedmont up to Westover, which one of these are pointing to that. Mr. Dunevant explained none of the projects are in that corridor.

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

CONSIDERATION OF A SMART SCALE APPLICATION BY THE DANVILLE MPO TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A ROUNDABOUT ON MOUNT CROSS ROAD AT DIMON DRIVE AND PARKER ROAD WEST

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

RESOLUTION NO. 2020-10.05

ENDORSING A SMART SCALE APPLICATION BY THE DANVILLE METROPOLITAN PLANNING ORGANIZATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED CONSTRUCTION OF A ROUNDABOUT ON MOUNT CROSS ROAD AT DIMON DRIVE AND PARKER ROAD WEST.

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

October 6, 2020

CONSIDERATION OF SUPPORT OF THE CREATION OF A REGIONAL ALLIANCE

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

RESOLUTION NO. 2020-10.06

SUPPORTING FORMATION OF THE DANVILLE-PITTSYLVANIA ECONOMIC DEVELOPMENT ALLIANCE.

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 AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE US DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$91,550

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, 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.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

APPROVAL OF A LEASE AGREEMENT AND A PURCHASE AND SALE AGREEMENT FOR A NEW POLICE STATION

APPROVING AND AUTHORIZING A LEASE AGREEMENT BETWEEN 2291 SCHOOLFIELD, LLC AND THE CITY OF DANVILLE FOR A NEW POLICE STATION

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

RESOLUTION NO. 2020-10.07

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING A LEASE AGREEMENT BETWEEN 2291 SCHOOLFIELD, LLC AND THE CITY OF DANVILLE, VIRGINIA FOR A NEW POLICE STATION TO BE LOCATED AT 2291 MEMORIAL DRIVE.

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

Mayor Jones recognized Sharon Eldridge Bohannon who noted her concerns about the Council Letter for this item and concerns about the Police Station.

October 6, 2020

Mayor Jones recognized Cherie Tamson, who noted her concerns with the proposed Police Station and suggested Council consider tabling the vote until after the election.

Mayor Jones recognized Greg Anderson who noted his concerns about the proposed Police Station.

City Attorney Clarke Whitfield explained there were two votes tonight, and noted the last clause on both agreements state that they become null and void should the referendum on the casino not pass and be certified as passed by the Circuit Court to the Department of Lottery and the City of Danville.

Council Member Vogler asked the City Manager to review some of the questions and concerns that were raised. City Manager Ken Larking explained that in 2016 the City conducted a space needs analysis for all operations and it was determined that one of the greatest needs was additional space for the Police Department. They were currently spread out over various floors of City Hall and the Library, and in cramped quarters that long ago failed to meet the needs of the department. A more detailed analysis was conducted in 2018 regarding the Police Department's specific needs. Based on that information, the City hired Dewberry to study multiple sites to obtain cost estimates for a new police headquarters using the traditional design-bid-build structure, which would have required bonds to pay for. The cost estimate for those sites were in the range of \$28M-\$35M. The City decided to explore the possibility of a public private partnership, sent out a request for proposals and received three bids. The proposals allowed any developer to submit any property they wanted to for consideration by the City for a police headquarters; they received three bids. Since June, the City has been negotiating with the most cost effective solution that meets the needs of the police department. One question was, why was staff bringing it up now; it was at the request of the developer that made the proposal. The developer was okay with the City making this contingent on the passing of the referendum, but he needs to know as quickly as possible whether or not the City was interested in doing this or not, so that he can move on and do something else with the building.

Mr. Larking noted the total cost of the project was estimated to be no more than \$17M. The City has the maximum ability to borrow \$6M every year by City Charter. In order to purchase a project that costs more than that, the City either has to save the money over time in a capital reserve fund and pay cash for it, or go out for bonds and pay for it. If the City was doing it the traditional way, the estimates for the cost were between \$28M and \$35M. The City would have to go out on a bond referendum and ask the citizens to vote in favor of an at least \$28M bond referendum, then they could go forward with the project. In order to pay for the cost without increasing taxes, staff proposed that the City use new revenues generated from the casino gaming, should the referendum pass. This will include setting aside almost \$6M from the initial \$20M upfront payment from Caesars to pay the down payment on the project and to cover the first two years of payments. Should the referendum fail, the payment structures will likely change, and City Council will have to have a hard discussion about whether or not they want to look at raising taxes at some point in the future to make this work.

Mr. Vogler noted that Council has known about the need for a new police station for a number of years and the holdup has always been how to pay for it. Council, looking at that price tag, has never wanted to move forward. He would not vote for a tax increase for this; if the referendum doesn't pass, Council would be back to square one. Mr. Larking noted this item has been discussed during work session, it has been in the CIP and typically it moves out every year because the City doesn't have the funding to pay for it. This was an opportunity to move forward; again, should the referendum fail, the City would have to start from square one. There were two agreements that were under consideration by Council. One will be an installment purchase of the

October 6, 2020

new construction portion of the project which was \$8M; the rest of it was historic rehab of the existing structure. It has to be a lease because under Historic Tax Credit rules, the person using the Historic Tax Credits has to hold the property for five years. At that point, the owner can decide what they want to do with it; they will be free and clear of the requirements of the historic tax credit program. Included in the lease agreement was a right of first refusal for the City to be the first to refuse the sale to anyone else; the City would have the first option to purchase it. In addition, at year eight, the lease payments drop from \$84,000 to \$60,000 which is less than what the mortgage payments would be; that would be another reason why the developer would be highly motivated to find some way to not own the property any more. Mr. Larking noted it was the City's goal to protect the citizens of Danville and what ultimately this proposal did was propose the lowest cost option for the City. He was highly confident at the end of the day after the period of time when the holding period for the historic tax credits was over, the City will have ownership of a police headquarters at millions of dollars less than what it would have cost through the traditional process or even by selecting one of the other respondents to the RFP. Mr. Whitfield noted the first right of refusal was from day one to the end of the lease, and after the end of year seven, not only do they have to grant the City the first right of refusal, they have to get the City's permission to sell the building and who it would be sold to.

Dr. Miller questioned when, according to the contract with Caesars, does the City receive the \$20M and Mr. Larking noted within 30 days of passage of the referendum. Mr. Larking noted the development agreement provides for the period of time when they must begin their process and a deadline to complete the construction of the building as well.

Council Member Whittle questioned if it's a first right of refusal, was it their price and Mr. Whitfield stated it was whatever someone would come to them to offer. If they sell that building within the first five years, they would lose their tax credits; they would all be recalled. Mr. Whittle noted if it was ten years down the road and it's a first right of refusal, it was at their price and Mr. Whitfield noted that was correct, the City would have to match their offer, but after year seven they have to request the City's permission to sell. Mr. Whittle stated if he did the math, if the City bought a lot on Piedmont Drive and spent \$200 a square foot which was the going rate to build anything, the City could put in a 20,000 square foot police station for \$4M. Council will get the police department what they need, add another \$200 a square foot to up fit the police station, that was \$8M. Mr. Whittle noted he thought it was too much money and wouldn't mind paying cash for it if it was \$8M or even \$10M. He noted he liked Galileo better. He thinks that Council should have a choice on other places they might want to go and asked how many square feet do they have downstairs and Mr. Larking noted 13,000; Dr. Miller noted they need 48,000. Mr. Whittle noted 48,000 square feet, doing the math at \$200 for 50,000 square feet, that's \$10M to build a brand new facility.

Mr. Whittle made a **Motion to Table**, the Motion was **seconded** by Council Member Kushner. Mr. Whitfield questioned if it was a Motion to postpone indefinitely or postpone for a definite period of time, a date certain and Mr. Whittle stated indefinitely. Mr. Whittle noted he was not saying Galileo was the best spot for it, maybe in a more troubled area of the City that works better. Mr. Kushner stated he would like a point of order, he would like to see the matter postponed but to a definite date or date not beyond a fixed date. Mr. Whitfield noted since the Motion to postpone indefinitely had been made, the Council has to dispose of that motion first. If that Motion fails, Council can come back and make a new motion. Mayor Jones noted the Motion on the floor was to Table it indefinitely, which had been seconded by Council Member Kushner.

Council Member Saunders clarified, the City had received three bids, \$17M was the lowest, one was about \$25M and then one higher than that. In conversations with the Police Chief and his department, it appears that the Police Department was onboard with regard to the bid of \$17M.

October 6, 2020

He did not know what the citizens were going to do on November 3rd, whether they would approve it or not, but if they do, he thought time would be of the essence.

Council Member Vogler noted Mr. Whittle brought up Galileo; he does not know if that should be a proposed location when there were kids that attended school there. Council does not know the future of that site, they may or may not move, that has been talked about on and off for years. Mr. Whittle mentioned the City could build a brand new police station for \$10M. Even going back to the 2016 study, he does not remember seeing any estimates that low, they were twice that amount. Wasn't Galileo looked at and that amount was much higher, and Mr. Larking noted it was; it was between \$28M and \$35M for Galileo. That recommendation required demolition of the building, and reconstruction of a brand new building. Mr. Vogler stated that was important also, when the police department looked at that building, they determined it was not functional, even to be rehabbed if it was to be chosen, it would be only for the location rather than the building. Mr. Larking noted that was what Dewberry determined in the study of multiple sites, using the traditional process; it would not be adequate for police department.

Council Member Campbell noted he first thought it was \$25M, and Mr. Larking noted the cost was \$17M and the historic tax credits were factored into that cost. Mr. Campbell noted he had discussed this with Chief Booth and Deputy Chief Hairston, the police department was scattered right now, but will there still be other sites within the City. Mr. Larking explained the two precincts that were currently located on Green Street and Third Avenue would still be part of the police department's toolbox. In addition, the police officers were deployed in their vehicles, they have all the tools they need inside the vehicle and were out in the community working the beats they have been assigned to. The location of the building was not as important as if it were a fire station. Dr. Miller questioned if the police would still have a presence at City Hall and Mr. Larking stated they would have a small presence. Dr. Miller asked if there was a possibility of the Sheriff using some of the space left by the police and Mr. Larking explained they have been having conversations with the Commonwealth's Attorney and the Judges at the Court about their space needs. Some of the court operations and Commonwealth's Attorney could be expanded into the vacant space. Staff feels there would be plenty of room for the Commonwealth's Attorney to vacate their leased space and be located at City Hall; that would be a cost savings for the City.

The **Motion failed** by the following vote:

VOTE: 6-2-1
AYE: Kushner and Whittle (2)
NAY: Campbell, Jones, Mayo, Miller, Saunders, Vogler (6)
ABSTAIN: Buckner (1)

STATEMENT OF CONFLICT OF INTEREST

I, James B. Buckner, do hereby state that I have a conflict of interest regarding the consideration of a Resolution Approving and Authorizing a Lease Agreement between 2291 Schoolfield, LLC and the City of Danville, Virginia for a New Police Station to be located at 2291 Memorial Drive listed on the agenda as New Business Agenda Item E(1). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 6th day of October, 2020.

s/James B. Buckner

October 6, 2020

Council Member Vogler **moved** to make a Substitute Motion to postpone this item until the November 5, 2020 City Council Meeting. The Motion was **seconded** by Council Member Kushner.

Council Member Saunders questioned the Substitute Motion and Mr. Vogler noted there were still some questions tonight, and this will give time give more clarity to citizens. Council Member Saunders noted they have been talking about a police station for a long time and thinks they finally have movement. Positive things were happening in the police department, and in the City. The longer they wait, the cost of the project will go up and does not see why Council needs to Table when they know they have a competent City Manager and Staff, everything has been very transparent and all the questions asked have been addressed. Vice Mayor Miller noted his agreement and was concerned if they put it off two more weeks, will the developer look elsewhere. Mr. Larking noted it has been the developer's strong desire for Council to consider this and has been contacting the City Manager weekly. Whatever the pleasure of Council was, he would take it back to the developer and see what his response will be.

The Motion **Failed** by the following vote:

VOTE: 5-3-1
AYE: Kushner, Whittle, Vogler (3)
NAY: Campbell, Jones, Mayo, Miller, Saunders (5)
ABSTAIN: Buckner (1)

STATEMENT OF CONFLICT OF INTEREST

I, James B. Buckner, do hereby state that I have a conflict of interest regarding the consideration of a Resolution Approving and Authorizing a Lease Agreement between 2291 Schoolfield, LLC and the City of Danville, Virginia for a New Police Station to be located at 2291 Memorial Drive listed on the agenda as New Business Agenda Item E(1). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 6th day of October, 2020.

s/James B. Buckner

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

RESOLUTION NO. 2020-10.07

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING A LEASE AGREEMENT BETWEEN 2291 SCHOOLFIELD, LLC AND THE CITY OF DANVILLE, VIRGINIA FOR A NEW POLICE STATION TO BE LOCATED AT 2291 MEMORIAL DRIVE.

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

VOTE: 7-1-1
AYE: Campbell, Jones, Kushner,
Mayo, Miller, Saunders, and Vogler (7)
NAY: Whittle
ABSTAIN: Buckner

October 6, 2020

STATEMENT OF CONFLICT OF INTEREST

I, James B. Buckner, do hereby state that I have a conflict of interest regarding the consideration of a Resolution Approving and Authorizing a Lease Agreement between 2291 Schoolfield, LLC and the City of Danville, Virginia for a New Police Station to be located at 2291 Memorial Drive listed on the agenda as New Business Agenda Item E(1). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 6th day of October, 2020.

s/James B. Buckner

APPROVING AND AUTHORIZING A PURCHASE AND SALE AGREEMENT BETWEEN 2291 SCHOOLFIELD, LLC AND THE CITY OF DANVILLE, VIRGINIA FOR A NEW POLICE STATION

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

RESOLUTION NO. 2020-10.08

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING A PURCHASE AND SALE AGREEMENT BETWEEN 2291 SCHOOLFIELD, LLC AND THE CITY OF DANVILLE, VIRGINIA FOR A NEW POLICE STATION TO BE LOCATED AT 2291 MEMORIAL DRIVE.

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

VOTE: 7-1-1
AYE: Campbell, Jones, Kushner,
Mayo, Miller, Saunders, and Vogler (7)
NAY: Whittle
ABSTAIN: Buckner

STATEMENT OF CONFLICT OF INTEREST

I, James B. Buckner, do hereby state that I have a conflict of interest regarding the consideration of a Resolution Approving and Authorizing a Purchase and Sale Agreement between 2291 Schoolfield, LLC and the City of Danville, Virginia for a New Police Station to be located at 2291 Memorial Drive listed on the agenda as New Business Agenda Item E(2). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 6th day of October, 2020.

s/James B. Buckner

COMMUNICATIONS

City Manager Ken Larking noted he wanted to extend an invitation to the public to attend the three town hall meetings the City has scheduled to discuss ways that the City could invest potential new revenue from casino gaming. When the City announced Caesars as the preferred casino gaming

October 6, 2020

operator, they announced that the City would be asking the citizens for their input on how to invest the dollars for the betterment of all people in the community. The City has been going through that process, there was an Invest in Danville committee that has met a few times, they have discussed the issue on topics ranging from education, health of the community, neighborhoods, housing, public safety and other things. They also want to know straight from the public what their thoughts were on how the City can make these investments. The City has a website: www.danvilleva.gov/casino; anyone can go there and learn as much as they want on what the City has done. The dates of the town hall were being advertised on River City TV, on the City website and all the City's social media. Citizens can click on the advertisement and register for one of these town halls. The dates are: October 15th from 6:30 p.m. to 8:30 p.m., October 22, from 2:00 p.m. to 4:00 p.m., that will be the date when the City will have sign language interpreters available on the WebEx, and the last date was October 29th from 6:30 p.m. to 8:30 p.m. Citizens will have the opportunity to type in their questions or comments and the City will receive that feedback. The City was also working on a survey and will begin advertising those.

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

Council Member Saunders commended the City Manager and his staff for the work they were doing. The new Police Station will include community facilities which the City doesn't have now. He was also glad of the grant for Domestic Violence, to find ways to make things better for the citizens. Mr. Saunders noted Council discussed a roundabout in Danville, and some citizens in Danville do not know about them, there could be accidents if people don't know how to use them and asked the City Manager about training. Mr. Saunders thanked the Mayor for the Proclamation for the Head Start Program noting statistics show children who are enrolled in the Head Start program are more successful in school, and Mr. Saunders thanked Mr. Bennett for the event he hosted.

Council Member Whittle noted his suggestion for some of the casino money was to put it in the bank.

Council Member Buckner noted for the past few weeks Council has been discussing the police station and noted the reason why he has not been in the discussion, and the conflict was because he sold the property to the developer in 2009.

Council Member Campbell noted to the citizens, they were living in peculiar times like they have never seen before in this country, and would like to emphasize voting and voting early. This was something every citizen of Danville needs to value, the democratic process, to cast their vote and cast them now.

Council Member Kushner noted four months ago, Council plucked him out of his peaceful retirement. Their appointment was granted on the premise that for four months he would sit there to fill the vacancy he would do no harm, and hopes they conclude he did not. It has been a real pleasure to serve with all of them. Mr. Kushner noted he thinks the public has very little understanding of the kind of hard work this body has done and does practically every day. He wants people to understand that this Council will come to this chamber determined to do the public's will and business and bring to this table the greatest expertise they can deliver. Mr. Kushner thanked Council, all the City staff who has been most courteous to him, and it has been a pleasure working with the City Attorney and City Clerk, the Manager and Deputy Manager. Mr. Kushner noted he would like to reach out to friends and neighbors in the community who often feel that what happens here was something they have nothing to with, they can't participate, the ordinances were passed and the policies were adopted without any real concern for the public will. Mr. Kushner noted that absolutely was not true. There were multiple opportunities every day for citizens to participate in the affairs of their government. To retirees, people with special skills, the people who just want to

October 6, 2020

make a contribution, let yourselves be known. Mr. Kushner noted he was sure everyone shares the aspiration that Danville will become the great city it has every potential to become; they need to believe themselves and need the people of the community who love Danville every bit as much as they do, to get onboard, believe that they were an All American City and will stay an All American City for years to come.

Council Member Mayo noted his agreement with has been discussed; Council does work very hard together, putting the City first as well as the citizens. He was very proud of City staff and what they do. Mr. Mayo stated he believes in the Head Start Program, it has been around for decades, was going strong and was proud of Ms. Martin and her staff. Getting the parents involved was a great thing and encouraged them to continue doing that. Mr. Mayo noted they were in need of a police station, they have a great staff in the police department, and they were looking to make that better. The Community event with Mr. Bennett was fantastic, he was doing a great job with the NAACP and he was glad to be a part of that.

Vice Mayor Miller noted all the work that goes into getting a new police station or the work done to get the casino was done by the City staff, Mr. Larking, Mr. Reynolds and Mr. Whitfield; to them goes the credit. Dr. Miller noted the Police Department needed more space and contact with the public so they can handle different situations and domestic violence; they need more training, a place to store evidence, and a locker room to change their clothes. They need all these things a new police station can provide. The NAACP event was great with Senator Lucas attending, who helped get the casino bill passed. Dr. Miller encouraged citizens to get their flu shot and to get out to vote.

Mayor Jones noted he enjoys the people who come before Council; this was their Council and he appreciates them speaking. He would really love the people to take advantage of contacting the City Manager when they have questions about the City. Mayor Jones thanked the City Manager, and City Attorney, for what they do. To the community, be encouraged, great things were happening in Danville; listen to the conversations in the community; the City was growing. Mayor Jones thanked the citizens for attending and noted his appreciation of city staff and the Council members.

The meeting adjourned at: 9:38 p.m.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK