

September 17, 2019

The Second Regular September meeting of the Danville City Council was held on September 17, 2019, 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, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Adam J. Tomer, Vice Mayor 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.

Mayor Jones presided and recognized members of the Danville Police Department, including Major Tim Jones, a recent graduate of the FBI National Academy at Quantico, Virginia.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by L.G. "Larry" Campbell, Jr., followed by the Pledge of Allegiance to the Flag, led by Major Tim Jones of the Danville Police Department.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Proclamation: Constitution Week

Presented to: Dawn Davis, Regent

Dorothea Henry Chapter, Daughters of the American Revolution

Ms. Davis noted her appreciation of City Council who has for a number of years issued this Proclamation, and thanked the Mayor and Council for their support.

Presentation of the Danville Police Department Reaccreditation Certificate

Presented by: Sheriff Steve Draper, Martinsville City Sheriff and Representative of VLEPSC

Sheriff Draper noted he serves as a member of the VLEPSC Commission and brings congratulations from the Virginia Law Enforcement Professional Standards Commission. Sheriff Draper explained he was there to recognize the Danville Police Department for their commitment to law enforcement excellence. Sheriff Draper reviewed the process for accreditation, stated this was Danville's sixth reaccreditation and presented the Certificate to Danville Police Chief Scott Booth. Chief Booth thanked Council and thanked Sheriff Draper for his presentation. Chief Booth recognized Captain Matt Carter and Corporal Evan Wilson, both of whom worked on this accreditation, and also acknowledged all the men and women of the Danville Police Department.

Presentation of the VACP Life Saving Awards

Presented by: Police Chief Scott Booth

Chief Booth noted several weeks ago he attended the Virginia Chief's Conference in Norfolk and they recognized heroic acts from all over the State. They presented him, at that time, with six lifesaving awards and he wanted to recognize the six officers in front of Council. Chief Booth stated last October, when the hurricane hit Danville, he had many, many officers that went out in their police cars and saved lives. Chief Booth recognized Lt. David Whitely, Cpl. John D. Dixon, Officer Jonathan Masi, Officer Charles W. Willard, Major Tim Jones, and Cpl. Christopher Morris, and presented them each with their Life Saving Awards. Chief Booth and Council Members thanked them for all they do.

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COMMUNICATIONS FROM VISITORS

No one desired to be heard.

GENERAL FUND FINANCIAL REPORT

Director of Finance Michael Adkins gave the General Fund Financial Report, noted the audit was underway for FY 2019, and the auditors were in the City for about the next six weeks. As of today, there were no changes to the preliminary results that were reported last month. The City has an operating surplus of about \$425,000 for FY 2019 and this will translate into an increase in the unassigned fund balance of about \$930,000.

For the current fiscal year, FY20, through August 31st which was about 17% of the year complete, total revenues collected were \$13.4M, which was 12% of budget. Last year at this time, they had collected \$12M or about 11.25% of budget; the City was already a little ahead of last year. This increase was mostly a timing difference, the City received its quarterly Aid to Localities from the State in August this year; last year it was received in September. For property taxes, delinquent collections were on track with budget and slightly ahead of last year. Local taxes are tracking well with budget, they are slightly ahead of last year and the one area he was watching closely was sales tax; the City has had some retailers that have closed in recent days. Sales tax through August was slightly below budget, the report for September came in yesterday, and that one was ahead of last year; he was not too concerned about sales tax at this time, but was keeping a watch on that. All other revenues were on track with budget. On the Expenditure side, the City was also tracking well with budget. Departmental Spending was about 15.8% of budget; that was normal for August, the City usually finds itself at 15-16%. Another area being watched closely was the health insurance, which can be a volatile line item; so far this year, the City was on track with budget. As a reminder, the City will be issuing their bonds next month and in preparation, staff has their credit rating review which was scheduled for Thursday this week.

Vice Mayor Vogler noted, Mr. Adkins mentioned the fiscal year ended with a surplus and they were actually able to put money back into reserve funds. Mr. Adkins explained when the year was closed, staff found that revenues had exceeded expenditures by about \$425,000. That, in combination with some other changes to encumbrances, enabled the City to add just under \$1M to the Unreserved Fund Balance. Council Member Campbell noted Mr. Adkins stated 20% was in reserve and stated he thought it was about \$20M, and Mr. Adkins said \$22M. Mr. Adkins explained the policy was 20% of revenues, as revenues increased, that target goes up. Several years ago, \$20M was about 20%, now \$22M was about 20% of revenues. Council Member Tomer questioned in the budget, Council originally was going to pull from the Unreserved Fund Balance how much and Mr. Adkins noted staff budgeted \$3M. Mr. Tomer noted the City did not pull that and instead of pulling it, it was added to. Mr. Tomer stated at some point, to the City Manager, he would like to look at the long term budgeting tool, put these new numbers in and see how it impacts the next budget. Mayor Jones noted he would like Mr. Tomer and Mr. Shanks look at that.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Budget Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 10, 2019. No one present desired to be heard and the Public Hearing was closed. Council Member Buckner **moved** for adoption of the following Consent Agenda Items:

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Approval of Minutes from Regular Council Meeting held on August 20, 2019, and Minutes from Regular Work Session held on August 20, 2019. Draft copies of the Minutes had been distributed prior to the meeting.

Budget Appropriation – Amending the Fiscal Year 2020 Budget Appropriation Ordinance for Senior Citizen Transportation Services

An Ordinance entitled, Ordinance No. 2019-09.07, Presented by its First Reading on September 3, 2019, Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Increasing Certain Revenues to Provide for Title III-B Grant Funds and Local Share for Senior Citizen Transportation Services and Appropriating the Same.

Budget Appropriation – Amending the Fiscal Year 2020 Budget Appropriation Ordinance for CSA Funds

An Ordinance entitled Ordinance No. 2019-09.08, Presented by its First Reading on September 3, 2019, Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Appropriating Comprehensive Services Act Funds and Providing Local Matching Funds for a Total Amount of \$4,666,256 and Appropriating Same.

Budget Appropriation – Amending the Fiscal Year 2020 Budget Appropriation by Anticipating Proceeds from the Issuance of Bonds

An Ordinance entitled, Ordinance No. 2019-09.09, Presented by its First Reading on September 3, 2019, Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures.

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

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

APPOINTMENTS

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.02

APPOINTING ANU UPADHYAYA TO THE DANVILLE COMMUNITY POLICY & MANAGEMENT TEAM AS THE DANVILLE PUBLIC SCHOOLS REPRESENTATIVE.

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

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

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Vice Mayor Vogler noted the Committee on Appointments met earlier this evening and make the following recommendations:

Danville Redevelopment and Housing Authority
River District Design Commission
Danville Pittsylvania Community Services Board
West Piedmont Planning District Commission

Reappoint Larry Toomer
Reappoint RJ Lackey
Appoint Daurie Bussell
Appoint Kimberly Walker

Mayor Jones noted this item was for discussion only.

NEW BUSINESS

REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ALLOCATE FISCAL YEAR 2021 AND 2022 REVENUE SHARING PROGRAM FUNDS

CONSIDERATION OF A RESOLUTION ENDORSING INTERSECTION IMPROVEMENTS FOR PEDESTRIANS AT RIVERSIDE DRIVE AND PINEY FOREST ROAD

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA
ENDORSING INTERSECTION IMPROVEMENTS FOR PEDESTRIANS AT RIVERSIDE
DRIVE AND PINEY FOREST ROAD

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

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

CONSIDERATION OF A RESOLUTION ENDORSING MEMORIAL DRIVE/CRAGHEAD STREET IMPROVEMENTS FROM UNION STREET BRIDGE ROAD TO PATTON STREET

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA
ENDORSING MEMORIAL DRIVE/CRAGHEAD STREET IMPROVEMENTS FROM UNION
STREET BRIDGE ROAD TO PATTON STREET.

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

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

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CONSIDERATION OF A RESOLUTION ENDORSING THE RIVERSIDE DRIVE WESTBOUND RECONSTRUCTION PROJECT FROM ARNETT BOULEVARD TO AUDUBON DRIVE

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA ENDORSING THE RIVERSIDE DRIVE WESTBOUND RECONSTRUCTION PROJECT FROM ARNETT BOULEVARD TO AUDUBON DRIVE

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

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

CONSIDERATION OF A RESOLUTION ENDORSING THE INTERSECTION IMPROVEMENTS AT SOUTH MAIN STREET AND STOKES STREET

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA ENDORSING THE INTERSECTION IMPROVEMENTS AT SOUTH MAIN STREET AND STOKES STREET.

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

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

REQUESTING VIRGINIA DEPARTMENT OF TRANSPORTATION TO ALLOCATE FISCAL YEARS 2021 AND 2022 TRANSPORTATION ALTERNATIVE PROGRAM FUNDS

CONSIDERATION OF A RESOLUTION ENDORSING THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF KEMPER ROAD FROM SOUTH MAIN STREET TO EDMONDS STREET

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

RESOLUTION NO. 2019-09.07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA ENDORSING THE CONSTRUCTION OF SIDEWALKS ON BOTH SIDES OF KEMPER ROAD FROM SOUTH MAIN STREET TO EDMONDS STREET.

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

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

CONSIDERATION OF A RESOLUTION ENDORSING CONSTRUCTION OF A SIDEWALK ON ONE SIDE OF AUDUBON DRIVE FROM APOLLO AVENUE TO WOODVIEW DRIVE

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

RESOLUTION NO. 2019-09.08

A RESOLUTION FOR THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA ENDORSING CONSTRUCTION OF A SIDEWALK ON ONE SIDE OF AUDUBON DRIVE FROM APOLLO AVENUE TO WOODVIEW DRIVE

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

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

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR VDOT REVENUE SHARING PROGRAM FUNDS, STATE OF GOOD REPAIR PROGRAM FUNDS AND TRANSPORTATION ALTERNATIVE PROGRAM FUNDS

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR REVENUE SHARING PROGRAM FUNDS FROM VDOT IN THE AMOUNT OF \$1,216,500

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2019-09.10

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE AND TO BE FINANCED ANTICIPATING REVENUE SHARING PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,216,500.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR VDOT STATE OF GOOD REPAIR/PRIMARY EXTENSION FUNDS IN THE AMOUNT OF \$963,000

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Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2019-09.11

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR ROADWAY MAINTENANCE PROJECTS TO BE UNDERTAKEN WITHIN THE CITY AND TO BE FINANCED ANTICIPATING REVENUES FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION STATE OF GOOD REPAIR / PRIMARY EXTENSION FUNDS IN THE AMOUNT OF \$963,000.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR VDOT ADDITIONAL TRANSPORTATION ALTERNATIVE PROGRAM FUNDS IN THE AMOUNT OF \$95,396.00

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2019-09.12

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR ADDITIONAL TRANSPORTATION ALTERNATIVE PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR TRADE STREET TRAIL PROJECT UPC 107726 IN THE AMOUNT OF \$95,396.00.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR VDOT SMART SCALE PROGRAM FUNDS IN THE AMOUNT OF \$500,588.00

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2019-09.13

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE ON ARNETT BOULEVARD AND TO BE FINANCED ANTICIPATING SMART SCALE PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$500,588.00.

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

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AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO ALLOW THE CITY TO SERVE THE SOUTHERN VIRGINIA MEGA PARK AT BERRY HILL WITH WATER AND SEWER SERVICE

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2019-09.09

AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH PITTSYLVANIA COUNTY, THE PITTSYLVANIA COUNTY SERVICE AUTHORITY AND THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY TO ALLOW THE CITY OF DANVILLE TO SERVE THE SOUTHERN VIRGINIA MEGA SITE AT BERRY HILL WITH WATER AND SEWER SERVICES.

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

Council Member Tomer noted in the work session, Council discussed the cost and payback of this item and wanted the citizens to know the City needs to treat this as an economic development incentive; it needs to be something that happens to make the Mega Park work. It isn't something, in his opinion, that the City will receive payback for, but was something necessary in order to complete that facility. Vice Mayor Vogler noted citizens will hear good news about the Mega Park very, very soon; what Council was doing tonight was important to the overall development and growth of that park. It was an incentive to make the park better and ready for industries to move in.

Council Member Shanks noted Berry Hill has only been worked on for about ten or eleven years and people feel like that was a long time. In the scope of the project, as large as it was, funded in so many different way with help from the Tobacco Commission and the State, they have gotten a lot done. Danville and Pittsylvania County took a large step together eleven years ago, to finance that property. A lot of work has been done and hopefully they will see some good things in the near future. Mayor Jones thanked Director of Utilities Jason Grey for his work and his staff's hard work on this item.

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

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

COMMUNICATIONS

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

ROLL CALL

Council Member Miller noted today was the State of the Region and City Manager Ken Larking did an excellent job with good news about Danville. Citizens will be deciding about Historic Horse Racing, which was bringing in excellent revenues to the localities that have it already. Dr. Miller discussed the lawsuit against the big pharmaceuticals who make opioids, the

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settlements that were being made, and noted he was glad the City was participating in those lawsuits. Dr. Miller reminded citizens the Shrimp Fest was this week.

Mr. Saunders noted the City Manager did an excellent job at State of the Region address, and thanked Mr. Larking. To the family of the late coach Chris Carter, they are thinking about them and praying for them.

Council Member Tomer noted citizens had read in the paper that Dr. Jones, the Superintendent has sent a letter to the Virginia Department of Education asking for assistance. Mr. Tomer stated Danville only has a few schools that are accredited, the educational program has a problem and doesn't think throwing money at it was going to fix it. Council has increased funding for education but was not seeing the results of that increased funding. Council does not have direct supervision over the School system, but they do have the ability to control the purse strings. Council needs to go back to the drawing board and figure out what it was going to take to fix the school system. If the school system was not successful, no matter what else the City does in economic development or crime reduction, it will hold the City back.

Vice Mayor Vogler congratulated GWHS Football for their win over Jefferson Forest and encouraged citizens to come out and support them at their next game. Mr. Vogler stated Little Pizza My Heart in Danville had their first day opening and all the proceeds of that day went to those affected by the most recent hurricane.

Council Member Whittle noted he was proud of Chief Booth for the job that he was doing, and the entire police force.

Mayor Jones noted his agreement with what was stated earlier regarding the City Manager and his presentation for the State of the Region, and with comments about the education system in Danville. Citizens often ask them what Council was going to do about education, one of Council's three strategic goals; Council has to do more. They have some ideas that they have discussed, there are things the City Council can do and wanted citizens to know they are working on it.

The meeting adjourned at 7:47 p.m.

APPROVED:

s/ Alonzo L. Jones
MAYOR

ATTEST:

s/ Susan M. DeMasi, CMC
CITY CLERK