

June 21, 2022

The Second June meeting of the Danville City Council was held on June 21, 2022, 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., Bryant Hood, Mayor Alonzo L. Jones, Barry Mayo, Dr. 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.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Sherman Saunders gave the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Certificate of Recognition: Jack Garrett
Presented to: Jack Garrett

Mr. Garrett introduced his wife Charlotte, his son Jack, and his daughters Carol Ann and Sara Elizabeth Garrett, as well as Alex Vardavas and Sherri Crowder from WBTM and WAKG, respectively. Mr. Garrett thanked Council and stated, *God Bless; signing off for the final time from the WAKG and WBTM Newsroom, I'm Jack Garrett.*

Council Member Saunders wished Mr. Garrett the best in life as he goes forward. Mr. Saunders noted he could say that he was going to miss Mr. Garrett calling him at 6:30 am in the morning for a story, but that would not be true, and thanked John Crane for calling after 3:00 pm. Council Member Buckner congratulated Mr. Garrett on his retirement and stated that he did not know what radio was going to sound like anymore with Linwood and Chuck Vipperman gone, and now Mr. Garrett was retiring. Council Member Campbell thanked Jack Garrett for his many years of service to the community. A lot of people do not fully understand the importance of radio. Radio was always on whether it was snowing or sleeting, there were individuals that press their way through the storm to report the good news about Danville. Reverend Campbell saluted Mr. Garrett, his family, and hoped he enjoyed his retirement.

Council Member Mayo congratulated Mr. Garrett on his retirement and told him to enjoy his time, and stated to Alex Vardavas, not to go anywhere. Council Member Vogler congratulated Mr. Garrett on his retirement and stated he knew he was ready for some much needed time with his family. He thanked him for his time on the radio and all those pivotal moments he was the voice for the City. Council Member Hood thanked Mr. Garrett for his service and for being a voice in their homes. Vice Mayor Miller mentioned that Jack told him he had lost 20 pounds since retirement and wanted to know what that "Honey Do" list had on it; Dr. Miller congratulated Mr. Garrett. Council Member Whittle congratulated Mr. Garrett on his retirement.

Mayor Jones noted that the most incredible thing was his forty-three years and having his family able to see and hear all the things he has done for the community. Mayor Jones thanked Mr. Garrett for his years of service, and for all that he has done early in the mornings.

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COMMUNICATIONS FROM VISITORS

Gus Dyer, Chairman of the Board of Zoning Appeals, 165 Canterbury Road, noted at the previous meeting he spoke out against amending the zoning ordinance as put forth by the planning director. He stated he has since found out the planning director will no longer be with the City and was upset by that. He admitted that several times he has tried to find fault with something Mr. Plachcinski put forward when he should have been before Council to praise what Mr. Plachcinski was doing because 99% of the time, he thought Mr. Plachcinski was doing a great job. He hopes the City will be able to find someone with not only his qualifications but also his temperament.

CONSENT AGENDA

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

Minutes from the Regular Council Meeting held on May 17, 2022. Draft copies of the Minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2022 Budget Appropriation Ordinance for a Byrne Memorial Justice Assistance Grant in the Amount of \$25,115

An Ordinance entitled, Ordinance No. 2022-06.07, an Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance by Increasing Revenue for the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award in the Amount of \$25,115 to be Used to Implement a Utility Terrain Vehicle Project.

Amending the Fiscal Year 2022 Budget Appropriation Ordinance for a Recreation Enrichment Program in the Amount of \$249,240

An Ordinance entitled, Ordinance No. 2022-06.08, an Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for Funds in the Amount of \$51,915 for a Recreation Enrichment Program and the Local In-Kind Share of \$197,325 for a Total Appropriation of \$249,240 and Appropriation of Same.

Amending the Fiscal Year 2022 Budget Appropriation Ordinance for a Victim Witness Grant in the Amount of \$177,083

An Ordinance entitled, Ordinance No. 2022-06.09, an Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for a Grant from the State for a Victim Witness Program in the Amount of \$177,083 and Appropriating Same.

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

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

OLD BUSINESS

Approving the Budgets of the Various Funds of the City of Danville for the Fiscal Year ending June 30, 2023

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

RESOLUTION NO. 2022-06.26

A RESOLUTION APPROVING THE BUDGETS OF THE VARIOUS FUNDS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2023.

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

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

Approving the Fiscal Year 2023 Capital and Special Projects Plan for the City of Danville, Virginia.

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

RESOLUTION NO. 2022-06.27

A RESOLUTION APPROVING THE FISCAL YEAR 2023 CAPITAL AND SPECIAL PROJECTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA.

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

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

Approving the Budget Appropriation Ordinance for Fiscal Year 2023

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

ORDINANCE NO. 2022-06.04

BUDGET APPROPRIATION ORDINANCE FOR FISCAL YEAR 2023.

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

Council Member Saunders stated to Council and citizens, *the motion on the floor was to approve the City Manager's final recommendation for Fiscal Year 2023 which includes the budget for Danville Public Schools. I find myself needing to explain my vote. I am a lifelong supporter of education and of those who seek continuous learning. As a member of this Council for twenty-four years, I have consistently voted for all funding for Danville Public Schools. This also includes working for and asking the general public to approve this most recent 1% school tax. While I am extremely hopeful for the success of Danville Public Schools and the success of our new school superintendent, I cannot forget the numerous years I was totally disrespected and ignored by not getting answers and explanations to the numerous questions I have been asking the school system for many, many years, to include most recently, from a newly elected member of the*

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Danville School Board. The Mayor, City Manager, and I, along with the Vice Mayor, met with the school board representatives to determine how the City Council and School Board can work more closely together for the good of our students and all Danville Public Schools. This request was made because Danville City Council has unanimously agreed to make education the number one priority for the City of Danville. I told the school board representatives just that, our number one priority is education. This meeting was called for February 2, 2022. It was a terrible experience, at least for me, especially when at the very beginning of the meeting one of the school board members (and I am quoting) literally got up, put on his jacket, opened the closed door, and proceeded to leave. I did ask him to please close the door behind him. He only returned when the school board chairperson asked him to do so. His response upon returning, and I quote, "I come back and I am talking and if someone asks me a question I will talk over top of them". I have been trying for several years to get information and answers for the sole purpose of trying to be more helpful to our students, teachers, and school system. I believe that all of my efforts have been unsuccessful. I continue to hear so many complaints from teachers, parents, students, and other community citizens. I am reminded that the school board cannot write itself a check for \$20+ million dollars every year to address school board business. Only Danville City Council can do that. You don't give someone \$20+ million dollars to walk out of your meeting. We have been doing exactly that each year giving the school system millions of dollars for several years. Although I am not proud of this decision, yet it is one I must make feeling ignored, being disrespected, dealing with such arrogance, and receiving many concerns about our school system; my vote is "No".

Mayor Jones asked city staff to stand and thanked them for all they have done regarding the budget. He also thanked Council Member Saunders and Vice Mayor Miller for being on the education committee. Mayor Jones announced that he had the pleasure of appointing two new members to the education committee, and they will be Council Members Whittle and Campbell.

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

VOTE: 8-1
AYE: Buckner, Campbell, Hood, Jones, Mayo,
Miller, Vogler and Whittle (8)
NAY: Saunders (1)

CONSIDERATION OF INCREASING THE PERSONAL PROPERTY TAX ON AIRCRAFT

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

ORDINANCE NO. 2022-06.06

AN ORDINANCE AMENDING AND REORDAINING SECTION 37-36 OF THE DANVILLE CITY CODE TO INCREASE THE PERSONAL PROPERTY TAX ON AIRPLANES FROM \$0.30 PER \$100 OF ASSESSED VALUE TO \$0.69 PER \$100 OF ASSESSED VALUE EFFECTIVE JANUARY 1, 2023.

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

Council Member Vogler noted this came forward a few years ago when Fred Shanks was on Council. He proposed this tax increase and at the time he didn't think it even got seconded for a vote; it was back again tonight. Mr. Vogler noted he was opposed to it a few years ago and was still opposed to it now. In the budget that Council just passed, they increased hanger fees, so

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the cost of those with airplanes was going up at the airport. This was a 130% tax increase that nets the City a whopping \$28,450 dollars in annual revenue for a budget that was \$285M. That was a 130% tax increase on property owners that equals 0.01% of the City's budget; they were not balancing the budget with this tax increase. In his opinion this was a solution in search of a problem, and he will be voting "No".

Vice Mayor Miller stated he would like to hear from the Transportation Director why they need this increase and where the monies will go.

Director of Transportation Marc Adelman explained there were multiple reasons the Airport Commission wanted to see this personal property tax increase go into effect. First and foremost, Danville's fees were considerably lower, this was just to bring Danville up to the low level of other airports. For example, Martinsville was \$1.55 per \$100 and Pearson County, NC was \$0.72 per \$100; these were small rural airports where the personal property tax rates were higher than what staff was asking for. Mr. Adelman noted he thought they were undervaluing the airport and reflecting to potential customers and pilots the question of why they were charging so little; were the airport facilities poor, were they undermaintained, and that was not the case. On top of that, costs at the airport have significantly increased over the last seventeen years for new hanger construction. Specifically, seventeen years ago they built a hanger building, the cost per square foot was \$29 dollars, it was now \$200 dollars, over 6 ½ times. They were in the process of rehabilitating their cross-wind runway; that was \$3.5M of the City's money to do this work. He believed, and the Airport Commission believed, this was fair and still remains very competitive with other airports in the area.

Council Member Whittle asked how many aircraft this would affect, and Mr. Adelman noted that there were about forty-two aircraft based at the airport currently. However, Averett University's aircraft, which he believed they had twelve in their fleet, were exempt from paying personal property taxes through the state code. The ability to generate additional income or revenue from personal property taxes was based on the aircraft on the field at the time; it was really hard to project what the total amount will be. They were looking at thirty aircraft that would be affected and some people own more than one aircraft.

Council Member Buckner asked what the airport was doing in preparation for the next few years with the continued growth being seen in the region; how will this \$28,450 a year help that and Mr. Adelman noted the Commission was looking at the combination of an increase in personal property tax and hanger rental fees to generate over \$50,000 dollars; that was going towards maintenance expenses. Their facilities were very old, so they renovate them; they were currently renovating the terminal building to support increased traffic over the next three years; it was a \$1M project, and the City's cost was around 20% of that. They were rehabilitating the cross-wind runway to potentially use it to park aircraft related to the casino, and they just opened bids to rehabilitate the south ramp. The local match requirement for that was 2% but it was a \$5M project. The airport was striving to be more self-sustaining, that was the mission; they feel that their current prices undervalue the airport. Mayor Jones thanked Mr. Adelman and noted he has not seen one person from the Airport oppose this whatsoever; no one was here tonight opposing it.

Council Member Campbell noted that he has served with Mr. Adelman for several years in reference to the airport and transit, and questioned did he feel that the City will lose business by these increases, and Mr. Adelman stated that owners cannot go anywhere else that was less expensive. Danville was not increasing their fees in excess of the low fees that other airports were charging nearby. It was a significant increase percentage-wise, however, it was still lower than what everyone else was charging.

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Council Member Campbell questioned if Mr. Adelman felt that was justified, not just because Danville was lower in price and Mr. Adelman noted this past week there were thirty-nine jets that came into the airport for VIR. When speaking with the FBO who interacts with those people, they all say the facility looks really nice. He doesn't think that pilots expect a community airport with a population of a little over 40,000 to have the facilities that Danville has, but they were expensive to maintain. Mr. Adelman stated this was user based; the people that were benefiting from the airport were paying these fees.

Council Member Whittle noted that Averett was the FBO and asked if that was working well for the City and Mr. Adelman stated it was working great. John Earl, the FBO manager, was wonderful. Mr. Whittle asked how much they put back into the airport operations and Mr. Adelman explained that currently it was based on their lease fees and their fuel flow fees. They were contributing between \$30,000 to \$40,000 annually based on the facilities they rent and the fuel flow fees that come from their sales. Mr. Adelman stated Averett makes money off the sale of jet fuel; that was where FBO's make their money. The profit margin for jet fuel was significantly larger than it was for piston engine air fuel due to it being lead based and transported by pipe versus avgas for single engine aircraft.

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

VOTE: 5-4
AYE: Campbell, Jones, Mayo, Miller, and Saunders, (5)
NAY: Buckner, Hood, Vogler, and Whittle, (4)

NEW BUSINESS

REVIEW OF THE GENERAL FUND FINANCIALS AS OF MAY 31, 2022

Director of Finance Michael Adkins stated the current real estate budget was \$18.5M and as of today the City had reached that goal; they were 100% collected and exceeded that budget by about \$50,000. The Personal Property Tax budget of \$13.2M had been met and exceeded by about 6%. Delinquent Personal Property Tax has been a very good performer this year, budgeted at just under \$1M and they have collected \$1.3M. On the local consumer driven taxes, in Sales Tax, they budgeted a little over \$10M this year and have collected almost \$11M. Business Licenses also performed well; budgeted at \$5.5M, they have collected close to \$6M. Meals Tax was budgeted at \$9.5M and they have collected about \$9.75M. Lodging taxes were budgeted at \$1.8M and they have collected \$2M as of today. Under Interest income, the Federal Reserve increased rates several times over the last several months, and the City has collected about \$250,000 in interest earnings. There were a few items performing under budget, the main one was the Telecommunications Tax; last year they were receiving about \$220,000 per month and this year were receiving about \$190,000 per month. That will result in about a \$350,000 dollar shortage in that line item. Also, in Delinquent Real Estate, they had budgeted about \$200,000 more than has been collected so far this year. In regard to Expenditures, the departments were at about 85% of budget and there are still quite a few expenditures to book for the last month. Hopefully there will be some surplus to add to the fund balance at the end of this fiscal year.

Council Member Buckner thanked Mr. Adkins for all he does to keep Danville pushing forward, the \$1M increase in business licenses, how many were from new businesses. Mr. Adkins noted that he did not have that information with him, but he would work with Jimmie Gillie to get that number.

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Council Member Vogler noted that he did not have a question for Mr. Adkins, but wanted to get clarification on the previous motion on the airport tax stating that it failed. Mr. Whitfield stated he was correct; it needed six votes to pass.

Council Member Whittle asked what the Telecommunications Tax was and Mr. Adkins explained that was tax on phone land lines, cablevision, and satellite services; more people seem to be using cell phones and streaming services. Mr. Whittle noted that half of the City Attorney's office budget was paid from the Utility Department and thought that was irregular. Mr. Whitfield stated that Ryan Dodson received half of his salary from the Utility Department because 50% of his responsibilities were in the Utility Department.

CONSIDERATION OF CHANGES TO THE CITY'S PERSONNEL SYSTEM REGULATIONS

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

ORDINANCE NO. 2022-06.10

AN ORDINANCE AMENDING THE PERSONNEL SYSTEM OF THE CITY OF DANVILLE PROVIDING FOR THE CLASSIFICATION, COMPENSATION, AND EMPLOYEE DEVELOPMENT FOR EMPLOYMENT POSITIONS OF THE CITY.

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

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

CONSIDERATION OF AMENDING SECTION 4. ENTITLED "AUTOMOBILE ALLOWANCE" OF THE CITY MANAGER'S EMPLOYMENT CONTRACT

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

RESOLUTION NO. 2022-06.28

A RESOLUTION AMENDING SECTION 4 ENTITLED "AUTOMOBILE ALLOWANCE" OF THE CITY MANAGER'S EMPLOYMENT AGREEMENT

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

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

CONSIDERATION OF FEE INCREASES EFFECTIVE JULY 6, 2022

Mayor Jones opened the floor for a Public Hearing regarding Fee Increases. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 14, 2022 and June 21, 2022. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2022-06.11

AN ORDINANCE AMENDING AND ESTABLISHING CERTAIN RENTAL FEES OF THE CITY OF DANVILLE EFFECTIVE JULY 1, 2022.

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$979,690

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

ORDINANCE NO. 2022-06.12

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$979,690 AND APPROPRIATING THE SAME.

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$4,000,000

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

ORDINANCE NO. 2022-06.13

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$4,000,000 AND APPROPRIATING THE SAME

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR FUNDS FROM THE VIRGINIA TOURISM CORPORATION IN THE AMOUNT OF \$210,000

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

ORDINANCE NO. 2022-06.14

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR TWO AMERICAN RESCUE PLAN ACT TOURISM RECOVERY PROGRAM GRANTS FROM THE VIRGINIA TOURISM CORPORATION IN THE AMOUNT OF \$100,000

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AND \$110,000 RESPECTIVELY FOR A TOTAL OF \$210,000 AND APPROPRIATING THE SAME.

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

COMMUNICATIONS

City Attorney Clarke Whitfield congratulated Jack Garrett.

Council Member Whittle asked if Council could discuss items that were first readings or if they had to wait for it to be voted on. Mr. Whitfield stated they could discuss the items at any time.

Council Member Buckner noted he had the honor of speaking at the Police Youth Academy and gave a shout out to Sylvia Brooks for all the work she and her team were doing with the children.

Council Member Campbell thanked Mayor Jones for appointing him to the education board, and thanked Council Member Saunders and Vice Mayor Miller for the work they have done over the past few years. Reverend Campbell stated he did have some concerns with the school system, and asked that Council put their heads together and work through these issues for the young people. They can make a better Danville for their youth. Council Member Whittle noted that he has been unable to serve on boards before due to his schedule but looks forward to working with Council Member Campbell and the school officials.

Vice Mayor Miller noted he had worked with Council Member Saunders for years on the education board. There was no doubt in his mind that he had worked hard for the education of the children, and wished all the success to the appointees. Mayor Jones thanked Council Member Whittle and Campbell for not hesitating when asked to be on the education board.

Council Member Hood noted this past Friday the Stay Hood foundation put on a collaborative event with Danville Public Schools and Church-Based Tutorials at the SCLC building in 97-degree weather; everyone came together. The actual event was named Important Conversations With Our Youth; they were able to get a lot of feedback from students and parents.

Council Member Mayo noted that Conversations With Our Youth was a great event. Along with the Police Youth Academy, he also had a basketball camp that he has been running for twenty-one years for the inner-city youth. Mr. Mayo mentioned how Vice Mayor Miller and Council Member Saunders were pioneers for the education committee. He encouraged parents that no matter what their child was going through to be ready to get on board with the schools, and find out what they can do to help their children.

Vice Mayor Miller thanked the City's Utility workers and Public Works crews for their work during the storms, how quickly they were able to get power back on and streets cleaned up. Dr. Miller noted the Children's Festival was a successful event.

Council Member Saunders thanked all the employees for the amazing job they did during the storm; they put themselves in harm's way to get the City's power back on and the City cleaned up. He also recognized Bishop Lawrence Campbell, who he has known since Mr. Saunders was fifteen; he retired from forty-three years of being on the board of Movement Bank. He thanked all the citizens of Danville, and thanked the Police Department and their families for what they do on a daily basis.

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Mayor Jones thanked the Ministerial Alliance for hosting him, Council Member Mayo, and Tommy Bennett a couple of weeks ago. He acknowledged Amanda Paez for her help in hosting the young people who came to City Hall to learn more about local government. Later, he attended an event at Langston for the Police Youth Academy, Council Member Hood's event on Friday, and the Children's Festival on Saturday; there was a lot going on in the City with their youth, and thanked everyone who was involved with those events. Council has three strategies which were, to reduce violent crime, support education, and Grow Danville. The reason he asked to move education to their number one priority was because the Chief of Police and his team did an excellent job at lowering crime. He thanked Council Member Saunders and Miller for being so nice after knowing what they went through on the education committee. To the citizens and the community please know that this Council's focus was on education.

Meeting adjourned at 8:06pm.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK