



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

May 21, 2020

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:** James B. Buckner
L.G. "Larry" Campbell, Jr.
Dr. Gary P. Miller
Sherman M. Saunders

Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Pursuant to City of Danville Ordinance Number 2020-04.01 (Continuity of Operations Ordinance), the format for the meeting has been modified to decrease the spread of the Coronavirus or COVID-19. The changes are designed to accommodate public input while encouraging the public to continue self-quarantining and practicing social distancing, as recommended by Governor Northam. The public is encouraged to watch the meeting live via River City TV Facebook page, Comcast Channel 10 or Gamewood Channel 122. Because of this State of Emergency and the need for social distancing, the Council is conducting this meeting electronically via Zoom under the authority of the aforementioned Continuity of Operations Ordinance.

Time and Place of Meeting

The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. Due to ongoing health concerns related to COVID-19, the City of Danville is modifying the structure of City Council meetings allowing for "virtual" meetings.

Communications from Visitors and Public Hearings

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Though the municipal building is closed to the public, accommodations have been made to still allow public comments by encouraging citizens to provide comments for Communications from Visitors and Public Hearings on agenda items ahead of time. There will be two options for submissions: online at danvilleva.gov/council or by phone using this number: (434) 857-3348. Comments submitted via these formats will be collected and distributed to all City Council members, and published with the minutes of the May 21, 2020 meeting. Comments will be collected through May 20, 2020 at 5:00 p.m.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - L.G. "Larry" Campbell, Jr.

COMMUNICATIONS FROM VISITORS

Citizens who desire to speak on matters not listed on the agenda will be heard at this time. Citizens who desire to speak on agenda items will be heard when the agenda item is considered.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine, have previously been discussed by City Council and/or introduced for First Reading. There will be no separate discussion on these items and they will be enacted by one motion. If discussion is desired by a Council Member or a citizen, the item(s) will be removed from the consent process and considered separately.

- A. Consideration of Approval of Minutes from Regular Council Meeting held on April 21, 2020.
Council Letter Number CL - 2328.
- B. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for a Domestic Violence Victim Program Grant.
Council Letter Number CL - 2312.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth of Virginia for a Domestic Violence Victim Program Grant in the Amount of \$44,635 and Appropriating Same.

FINAL ADOPTION

- C. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for a Grant for the Victim Witness Program.
Council Letter Number CL - 2311.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for a Grant from the Commonwealth of Virginia for a Victim Witness Program in the Amount of \$177,083 and Appropriating Same.

FINAL ADOPTION

OLD BUSINESS

- A. Consideration of Approval of the Fiscal Year 2021 Danville Public Schools Budget.
Council Letter Number CL - 2326.

A Resolution Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2021.

FINAL ADOPTION

APPOINTMENTS

- A. Consideration of Appointments to Boards and Commissions.
Council Letter Number CL - 2336.
 - 1. A Resolution Appointing Katherine Waller to the Danville Community Policy & Management Team as the Danville Health Department Representative.

NEW BUSINESS

- A. Consideration of Approval of Selling the Pinnacles Hydroelectric Complex to Northbrook Energy.
Council Letter Number CL - 2307.
 - 1. Public Hearing
 - 2. A Resolution Approving and Authorizing the City of Danville, Virginia to Sell the Pinnacles Hydroelectric Complex to Northbrook Energy for the Amount of \$8,200,000.
 - 3. A Resolution Approving and Authorizing the City of Danville, Virginia to Enter into a Purchase Power Agreement and Interconnection Agreement with Northbrook Energy for the Energy, Capacity, and Renewable Energy Credits from the Pinnacles Hydro Facility.
- B. Consideration of Amending Danville City Code to Maintain the Real Estate Tax Rate.
Council Letter Number CL -2333.
 - 1. Public Hearing
 - 2. An Ordinance Amending and Reordaining Sections 37-27, 37-28 and 37-29 of the Danville City Code thereby Maintaining the Real Estate Tax of Eighty-Four (84) Cents on Every One Hundred Dollars of Assessed Value Effective July 1, 2020.

FIRST READING

COMMUNICATIONS FROM:

- A. City Manager
- B. Deputy City Manager
- C. City Attorney
- D. City Clerk
- E. Roll Call

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2328

Consent Agenda A.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 05/21/2020

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on April 21, 2020.

Council Letter Number CL - 2328.

Attachments

Meeting Minutes

April 21, 2020

The Second Regular April meeting of the Danville City Council was held on April 21, 2020, at 7:04 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). Council Members attended the meeting via Zoom.

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. Staff members attended the meeting via Zoom.

Mayor Jones noted, *"I want to thank our citizens who are tuning in tonight to watch our City Council meeting. I want to cover the following items before we begin the meeting tonight. Notice for this meeting was posted on April 6, 2020 in compliance with the Virginia Freedom of Information Act. The Agenda was posted on the City's website on April 15, 2020. The agenda for tonight's meeting may be found online at www.mydanvilleagendas.info. This meeting is being broadcast live on both River City TV and the City's Facebook page. As you know, declarations of emergency have been declared by the President, Governor, and City Manager. Because of this State of Emergency and the need for social distancing, the Council is conducting this meeting electronically under the authority of the City's Continuity of Operations Ordinance. Public comments and comments for public hearings were solicited prior to the meeting, copies were provided to each Council member before the meeting, and will be included with the meeting minutes. Also, all Council members are attending tonight's meeting electronically via Zoom and I will ask them at any time they wish to make comments to raise their electronic hand to be recognized and to identify themselves when speaking. All votes will be by roll call and recorded in the minutes as usual."*

INVOCATION

The Invocation was given by Fred O. Shanks, III.

COMMUNICATIONS FROM VISITORS

All Communications from Visitors were received by telephone or by submission of a form through the City of Danville website. A copy of all submissions has been attached to and made a part of these minutes. One submission was received from the following citizen:

Bruce Hedrick, 25 Old Halifax Road, Danville.

ADD ITEM TO THE AGENDA

Mayor Jones noted there was an item to be added to the Agenda.

Council Member Miller **moved** to add Resolution 2020-04.10 to the Agenda as New Business Item C. The Motion to add an item to the agenda 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

CONSENT AGENDA

Council Member Campbell **moved** for adoption of the following Consent Agenda Items:

Budget Amendment - Amending the Fiscal Year 2020 Budget Appropriation Ordinance in the Amount of \$194,876 for the Recreation Enrichment Program.

An Ordinance entitled, Ordinance No. 2020-04.02, presented by its First Reading on April 7, 2020, Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for Funds in the Amount of \$55,220 for a Recreation Enrichment Program and the Local In-Kind Share of \$139,656 for a Total Appropriation of \$194,876 and Appropriation of Same.

Budget Amendment - Amending the Fiscal Year 2020 Budget Appropriation Ordinance for Grant Funding to Promote Aviation Awareness at the Danville Regional Airport in the Amount of \$15,000.

An Ordinance entitled, Ordinance No. 2020-04.03, presented by its First Reading on April 7, 2020, Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for a State Department of Aviation Grant for the Purpose of Providing Funding to Promote Aviation Awareness at the Danville Regional Airport in the Amount of \$7,500 and for the Local Share in the Amount of \$7,500 to be Provided by the General Fund Support of Grants for a Total Appropriation of \$15,000 and Appropriating Same.

Budget Amendment – Amending the Fiscal Year 2020 Budget Appropriation Ordinance for State Aviation Funding, and Local Share for a total Amount of \$180,000.

An Ordinance entitled, Ordinance No. 2020-04.04, presented by its First Reading on April 7, 2020, Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for Additional State Aviation Funding for the Purpose of Completing Terminal Building Improvements to Update the Heating and Air Conditioning System in the Amount of \$150,400 Plus Local Share in the Amount of \$37,600 to be Provided by a Transfer from the General Fund Support of Special Grants and Appropriating Same.

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

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

NEW BUSINESS

AMENDING THE CURRENT PITTSYLVANIA COUNTY SERVICE AUTHORITY AGREEMENT

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

RESOLUTION NO. 2020-04.08

AUTHORIZING THE CITY MANAGER TO AMEND THE PITTSYLVANIA COUNTY SERVICE AUTHORITY AGREEMENT (PCSA) TO INCLUDE NEW TERMS FOR SELLING WATER TO

April 21, 2020

THE SERVICE AUTHORITY AND PURCHASING WATER FOR THE BERRY HILL INDUSTRIAL PARK IN PITTSYLVANIA COUNTY.

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

APPROVAL OF THE PURCHASE OF PROPERTY ADJACENT TO THE KENTUCK SUBSTATION

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

RESOLUTION NO. 2020-04.09

APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO PURCHASE A HALF ACRE OF LAND AT 1995 KENTUCK CHURCH ROAD WITHIN THE DANVILLE UTILITIES SERVICE TERRITORY.

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

A RESOLUTION TO ENCOURAGE LOCAL RETAIL BUSINESSES TO IMPLEMENT SOCIAL DISTANCING BEST PRACTICES

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

RESOLUTION NO. 2020-04.10

ENCOURAGING LOCAL RETAIL BUSINESSES TO IMPLEMENT SOCIAL DISTANCING BEST PRACTICES AS RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND THE VIRGINIA DEPARTMENT OF HEALTH FOR THE HEALTH AND WELLBEING OF CUSTOMERS AND EMPLOYEES.

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

Dr. Miller noted he would not read the entire Resolution but wanted to read portions from it:

1. Limit the number of patrons within the business to five (5) people per 1,000 square feet.
2. Clearly mark aisles within the business with one-way arrows to direct shoppers through the store.
3. Require customers to observe six feet of separation at checkout lanes and place markings on the floor to encourage that amount of physical separation.

4. Require all employees to wear masks covering both mouth and nose.
5. Have a “store ambassador” at each entrance sanitizing shopping carts and limiting entry based on maximum capacity.
6. Provide customers with a paper towel and disinfectant in order to clean hands and shopping cart handles.
7. Encourage customers to purchase non-essential items online or by curbside pickup.
8. Offer senior citizen hours.
9. Allow customers with no access to internet to make phone-in orders.

The Motion was **seconded** by Mr. Saunders.

Mr. Saunders noted he appreciated the efforts of Council and all those involved for this Resolution; it was all about safety. He hoped the private sector understands this was not a case of government meddling in their business; Council was concerned about their citizens and those who visit the City.

Council Member Shanks noted he did not understand the need for this Resolution and he would ask Council to consider not passing it. The Resolution refers to the best practices of the VDH, the measures and guidance by the Center of Disease Control and Prevention, and the resolution even mentions that Council has already adopted encouraging separation measures, which was one of the recommendations of the policies referenced in the resolution. In the VDH or the CDC there was no mention of five people per 1,000 square feet; that was essentially creating a 30,000 foot diameter bubble around each person in an aisle. That was five times the recommendations of the policies of the CDC and VDH. Mr. Shanks noted the Resolution also asks that the aisles be clearly marked as one way; that was a policy a store could adopt, but did not think it was up to City Council to suggest, and it was not suggested in the other two documents. The third item was out of VDH recommendations for six feet of separation at the check out; that was already being done. Requiring all employees to wear masks covering the mouth and nose was not in any of the documents referenced; it may be in the future, but it hasn't been listed. Having a store ambassador was certainly not a requirement listed anywhere, but the VDH does suggest places to wash your hands as you go in and to wipe off the carts. Senior citizen options was already in one of the documents referenced. Mr. Shanks noted these were all great ideas, but did not think it was up to City Council to pick and choose a few out of these supporting documents and add others. Stores have been responsible, and those that have not been responsible should not be visited by people. Mr. Shanks stated he hated to see Council overstep the boundaries of City Council's business, and humbly asked that Council not subject their citizens to any further regulations or suggestions that aren't already in place with the State and Federal government.

Council Member Campbell noted he believed this was to make people more aware that the community has to continue with social distancing; it was not as if the City was going to inspect and measure everyone out in public, but make people aware of distancing and to protect one another.

Dr. Miller noted this came from Dr. Spillman at the regional Department of Health, and their infectious disease expert Dr. Desai, who researched this around the country. Stores were doing this, including Wal Mart, in other states. Some stores were doing some of these things, but others were not, with very crowded stores, and not policing how many people go in. Danville's numbers

were going up and people needed to continue social distancing. Council has no authority to mandate these things, only the Governor does. Dr. Miller noted they thought by bringing attention to them, the stores would implement at least some of them; they need to be doing more.

Vice Mayor Vogler stated this was a nonbinding resolution, no one would be going around policing this, they are suggestions; City Attorney Clarke Whitfield noted that was correct. In order for this to be enforced it would have to be an Ordinance and City Council does not have the authority; the Governor and the General Assembly have that authority. Mr. Vogler stated he did not want to support anything that would hurt the local small businesses, this was nonbinding but thought there were good suggestions in the Resolution.

Council Member Saunders noted he appreciated Mr. Shanks' observations; this was simply talking about the urgency of being safe. The Resolution does not have any authority, but Council can't talk too much about safety; he sees more people wearing masks and gloves and was pleased to see that. This was just to ask people to be careful, to be safe.

Mr. Shanks stated the City has this from the CDC and VDH and doesn't see where adding another layer of documentation was necessary.

Mayor Jones noted they were dealing with some unprecedented times; he has received phone calls about and from grocery stores, they were trying their best to keep people distancing. Council needs to take the lead and push for safety.

The **Motion** passed with the following vote:

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

**Council Member Shanks attempted to change his vote, which he had intended to be a "No," (in opposition to the Motion, as noted in Communications below) by raising his hand on the Zoom format. After being acknowledged, the City Attorney noted the vote could not be changed.*

COMMUNICATIONS

City Manager Ken Larking noted he wanted to express his appreciation to his coworkers doing the job of providing essential services throughout the community. The City has a lot of services that have to be done on a daily and weekly basis, providing utilities, safe water, and police and fire are always out in the community protecting the public. Parks and Recreation has been offering innovative services to help people stay entertained, helping children learn and providing curbside library services. Mr. Larking stated he was proud of the work the city employees were doing, seeing the departments doing what they could to help establish a sense of normalcy as much as possible for the citizens of Danville. Mr. Larking expressed his appreciation to the Council for their efforts to help educate the public, and to maintain safe practices so everyone can get past this situation and back to normalcy in the future.

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

Council Member Shanks noted following the discussion on the last item, he accidentally voted the wrong way, his vote was intended to be "no". Mr. Shanks questioned City Attorney Clarke

Whitfield if there was a way that could be corrected, or brought back for an additional vote; Mr. Whitfield noted there was not.

Vice Mayor Vogler noted he wanted to thank all the citizens watching tonight who continue to make the best of and do what they can during these unusual times. Mr. Vogler thanked all the City employees who continue to work diligently through all of this, including transit drivers, public works, police and fire and all the others; they have done a tremendous job, as well as his fellow Council Members, the City Manager and everyone on his team. In the weeks ahead they will hear more about what the Governor has decided to do, the City Manager has started putting in the groundwork, on how the businesses will go about starting to open back up in the weeks and months ahead. The City will have to follow what the State decides, and Council has do everything they can to help support local businesses. Mr. Vogler thanked the local businesses for what they have done to keep their employees on board, to serve the citizens and doing what they can to help the community. Mr. Vogler noted his grandfather passed away last week, and he thanked Council and citizens who reached out to send their condolences to him and his family.

Council Member Whittle noted he would be keeping Mr. Vogler and his family in his prayers. Mr. Whittle stated with the social distancing and the other applications that Council was putting in, how critical it was to get these businesses back off the ground. From his business alone they are off 30-45% and it will get worse next month. Danville will have a strong government, a strong President and Governor, and they will give the City the direction they are supposed to take.

Council Member Buckner noted his agreement with what has been said, and to Mr. Vogler, his grandfather was a great man who believed in what Mr. Vogler was doing, what the City was doing, and he will be greatly missed. Mr. Buckner thanked the City employees, what they were doing was remarkable, doing what needed to be done. Mr. Buckner encouraged citizens to follow the City's Parks and Recreation Department on Instagram. They are doing an amazing job keeping citizens engaged and active, and having fun in a safe way. This has been a tough time for everyone, and would encourage people to be kind to everyone around them.

Council Member Campbell noted his prayers were with the Vogler family. Reverend Campbell stated they were also praying for the citizens of Danville who have also experienced death of loved ones, loss of income and jobs. Reverend Campbell noted a lot of churches were having parking lot services, with people worshiping in their cars, and stated this was also a time for family enrichment. The City has great leadership with the City Manager and City Council and Danville will move forward when this was over.

Council Member Miller noted his condolences to Council Member Vogler on the loss of his grandfather and to Council Member Saunders on the loss of an aunt this week. Dr. Miller stated City workers are on the front line as are the hospital workers, and noted the Quilting Buddies have produced over 1,000 masks for the hospital, the DLSC, the police department, the Sheriff's Department, Pittsylvania County Sheriff's Department, and he presented masks to Constance Covington at Cardinal Village for the volunteer workers.

Council Member Saunders noted his condolences and prayers to Council Member Vogler, and shared a picture of his aunt who passed away last week. Mr. Saunders encouraged citizens to be safe, and thanked all the City Employees for all they do everyday for the people in the City. Mr. Saunders thanked Marc Aron for recognizing those on the front line with videos. Mr. Saunders encouraged citizens to wear masks and practice social distancing, it was working, and make sure before the City moves too quickly, to look at the numbers and as the curve flattens, to make sure that Danville goes back in a safe manner. Mr. Saunders noted he was concerned about the

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businesses, the employers and employees who are losing their jobs, and the schools; there were concerns. People need to be safe, love one another and forget about the small stuff.

City Manager Ken Larking noted he also wanted to thank the City's Information Technology department for making sure this meeting went off as it did, and all the support that came from his office with Amanda Paez and Marc Aron. Mr. Larking expressed his appreciation for them putting this together to make sure the City could be socially distanced and still conduct business.

Mayor Jones noted last week they received a message from both Council Member Saunders and Vice Mayor Vogler regarding the loss in their families. Mayor Jones thanked Council Member Shanks for the wonderful Invocation. Mayor Jones noted his agreement with the City Manager; there has been a lot of work going on with the City staff and Danville Public School staff, along with others. To see what the City of Danville was doing as a whole for the City and the School System, this was uncharted waters. A lot of things were happening this week; the General Assembly will reconvene tomorrow, he will be involved in some calls and hopefully there will be good news coming out of those calls. Mayor Jones thanked the Council Members, the City Manager's team, and all the City employees, for what all of them were doing. He has seen a lot of positive things going on during this time, it has been a wonderful thing seeing people united. He wanted to thank the City for listening, and prays that happier days will be happening soon. As a reminder, the City was at 48.8% of the census as of April 19th; if citizens have that census document laying at home, please fill it out; those are dollars for the community. To the fellow Council Members, City Manager, Deputy City Manager and city staff, thank you. The Election was coming up soon, please get out and vote; absentee voting was available.

The meeting adjourned at: 7:57 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2312

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Domestic Violence Grant Ordinance

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 05/07/2020

Final Adoption: 05/21/2020

SUMMARY

The Commonwealth Attorney's Office has received notice from the Commonwealth of Virginia, Department of Criminal Justice Services of the award of grant funds to be used to hire an attorney or victim's advocate to work in the Juvenile and Domestic Relations Court dealing with victims of domestic violence. The grant does not require any local matching funds.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the Fiscal Year 2020 budget appropriation ordinance for the appropriation of the funds.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE COMMONWEALTH OF VIRGINIA FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$44,635 AND APPROPRIATING SAME.

BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2020 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues to provide for a grant from the Commonwealth of Virginia, Department of Criminal Justice Services, in an amount of \$44,635 and appropriating same within the Special Grants Fund, such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid – State:		
Domestic Violence Victim Fund	61146000-47060	<u>\$44,635</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Domestic Violence Victim Program 7		
Salaries & Wages	61146000-51100	\$34,200
Other Taxable Compensation	61146000-51155	1,300
FICA	61146000-51450	2,616
Retirement-VRS-Emp Share	61146000-51500	4,006
Travel/Training	61146000-54900	1,788
Print Shop-Office Expenses	61146000-52655	<u>725</u>
	TOTAL	<u>\$44,635</u>

AND BE IT FURTHER ORDAINED, that all other accounts and provisions of the Fiscal Year 2020 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2311

Consent Agenda C.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Victim/Witness Program Grant

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 05/07/2020

Final Adoption: 05/21/2020

SUMMARY

The City has received notice from the Commonwealth of Virginia, Department of Criminal Justice Services, of the approval of federal and state funding in the amount of \$177,083 for the continuation of the City's Victim/Witness Assistance Program which is operated through the Commonwealth Attorney's Office. The Victim/Witness Program provides assistance to victims of criminal offenses (e.g. rape, felonious assault, child sexual and physical abuse, homicide, domestic violence) occurring in Danville. The program provides direct services, referral services to meet specific needs (e.g. mental health, social services, legal, medical) and filing claims for crime victims' compensation. The program also provides a court escort, an explanation of criminal court procedures, intervenes with employers, collection agencies and landlords when victims' injuries result in loss of income, and monitors court related restitution payments.

BACKGROUND

The goal of the Victim/Witness Program is to alleviate, to whatever degree possible, the confusion, pain and suffering, of innocent victims of violent crime occurring in Danville. This is an annual grant and does not require any local matching funds. For proper account purposes it is necessary to appropriate these funds.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance to provide for the appropriation of the funds.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE COMMONWEALTH OF VIRGINIA FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$177,083 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2020 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues to provide for a grant from the Commonwealth of Virginia, Department of Criminal Justice Services, in an amount of \$177,083 for the purpose of operating a victim witness program within the City of Danville, and appropriating same within the Special Grants Fund, such revenue and appropriation to be a follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Victim Witness Grant		
Categorical Aid -DCJS	60301000-47060	\$ 44,271
Federal Aid	60301000-48055	<u>132,812</u>
	t	<u>\$177,083</u>

EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Victim Witness Program		
Salaries & Wages	60301000-51100	\$138,014
Other Taxable Comp	60301000-51155	5,500
FICA	60301000-51450	9,563
Retirement VRS-State Share	60301000-51501	14,800
Print Shop-Office Supplies	60301000-52655	1,575
Postage	60301000-54050	800
Telephone	60301000-54100	1,192
Materials & Supplies	60301000-55930	925
Membership/Dues	60301000-56242	560
Travel/Training	60301000-54900	3,854
Equipment	60301000-57500	<u>300</u>
	TOTAL	<u>\$177,083</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2020 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2326

Old Business A.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Consideration of the Fiscal Year 2021 Danville Public Schools Budget

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 05/07/2020

Final Adoption: 05/21/2020

SUMMARY

The Public Hearing for the Fiscal Year 2021 Preliminary School Board Budget was scheduled for May 7, 2020. The City's Budget for Support of Schools includes \$22,812,500 for Support of Operations, and \$2,498,770 for Debt Service, for a grand total of \$25,311,270. In addition, the Capital and Special Projects Plan includes \$2,000,000 for capital improvements for various school facilities to be funded by General Obligation Bonds.

RECOMMENDATION

It is recommended the City Council approve the attached Resolution Approving the Fiscal Year 2021 Danville Public Schools Budget.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020- ____ - ____

A RESOLUTION APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2021.

WHEREAS, the School Board of the City of Danville presented to the Council its estimate of the amount of money needed for the support of the public schools of the City during Fiscal Year 2021 which estimate reflected total proposed expenditures in the amount of \$71,375,947; and

WHEREAS, the City shall contribute \$22,812,500 for School Operations and \$2,498,770 for School Debt Service for a total appropriation of \$25,311,270; and

WHEREAS, the City Council does not intend by this resolution to guarantee to the School Board of the City of Danville any contribution for support of schools in future fiscal years above that amount required by Virginia law for support of schools; and

WHEREAS, a brief synopsis of the proposed Budget of the School Board for Fiscal Year 2021 was duly published, and, after public notice duly given, a public hearing with respect thereto has been conducted by the Council, after due public notice thereof, and upon consideration of which it is now necessary and desirable to approve the same as prescribed by law.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Section 22.1-93 of the Code of Virginia, 1950, as amended, the attached budget of the School Board of the City of Danville for the Fiscal Year ending June 30, 2021 be, and the same is hereby, approved for educational purposes subject the above recited conditions.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2336

A.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Appointments to Boards and Commissions

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 05/21/2020

SUMMARY

Consideration of Appointments to Boards and Commissions.

Council Letter Number CL - 2336.

1. A Resolution Appointing Katherine Waller to the Danville Community Policy & Management Team as the Danville Health Department Representative.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020 - ____ . ____

**A RESOLUTION APPOINTING KATHERINE WALLER AS A MEMBER OF
THE DANVILLE COMMUNITY POLICY AND MANAGEMENT TEAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Katherine Waller be, and she is hereby appointed as the Danville Health Department representative member of the Danville Community Policy and Management Team.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2307

New Business A.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Asset Purchase Agreement and Purchase Power Agreement with Northbrook Energy for the Pinnacles Hydro Complex

From: Jason Grey, Utilities Director

COUNCIL ACTION

Business Meeting: 05/21/2020

SUMMARY

Northbrook Energy has proposed to the City of Danville, to purchase the 10 megawatt Pinnacles facility in Patrick County, Virginia for \$8,200,000 and to sell the energy, capacity and renewable energy credits back to the City for \$58.31/megawatt-hour with a 2% annual escalation. Since this is "behind the meter," there is no transmission or capacity charge. Also, the contract allows for the City to sell renewable energy credits on this asset, which will further reduce costs for rate payers. Northbrook Energy recently purchased five hydroelectric facilities from Duke Energy in North Carolina and South Carolina, and looks to incorporate this facility into their fleet of assets pending City Council's approval. If approved by City Council, the sale of Pinnacles will require approval from the Federal Energy Regulatory Commission, since this is behind the meter.

BACKGROUND

The Pinnacles Hydro Complex is located in Patrick County, Virginia and consists of approximately 3,600 acres of City owned property. The City manages two 120 foot dams that store water for power generation. The Talbott Dam consists of a 1.4 mile penstock that brings water to a 10 megawatt power house. The facilities were constructed in 1938 in order to supply 100% of Danville electric needs. Today, the facility is used as a peaking resource during periods of high demand and provides approximately 2.5% of the City's electric needs.

RECOMMENDATION

Staff recommends that Danville City Council approve selling the Pinnacles Hydroelectric complex to Northbrook Energy for \$8,200,000, and purchasing the energy, capacity, and renewable energy credits from the facility at \$58.31/megawatt-hour with a 2% annual escalation.

Attachments

Resolution

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO SELL THE PINNACLES HYDROELECTRIC COMPLEX TO NORTHBROOK ENERGY FOR THE AMOUNT OF \$8,200,000.

WHEREAS, the Utility Commission recommends the sale of the Pinnacles Hydro Complex to Northbrook Energy in order to lower operating costs and to deliver long-term benefits to the City; and

WHEREAS, the sale of Pinnacles is in the best interest of the ratepayers of Danville Utilities by providing behind-the-meter generation in an effort to save on rising transmission, capacity, and congestion charges; and

WHEREAS, selling the Pinnacles facility to Northbrook Energy will assist Danville Utilities in accelerating capital improvement projects and ensuring system reliability; and

WHEREAS, by Northbrook Energy is a reputable independent power producer that has been in the hydroelectric energy industry for more than 30 years; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that is does hereby approve and authorize the City of Danville to sell the Pinnacles Hydroelectric Complex facility to Northbrook Energy for the amount of \$8,200,000; and

BE IT FURTHER RESOLVED, that the City of Danville agrees to accept Northbrook Energy selling back to the City of Danville ten megawatts of hydroelectric generation to provide renewable energy and capacity within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute or sign any and all necessary documents to be executed or to facilitate the above referenced transaction.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2020-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO A PURCHASE POWER AGREEMENT AND INTERCONNECTION AGREEMENT WITH NORTHBROOK ENERGY FOR THE ENERGY, CAPACITY, AND RENEWABLE ENERGY CREDITS FROM THE PINNACLES HYDRO FACILITY.

WHEREAS, the Utility Commission recommends entering into a twenty-five year purchase power agreement and interconnection agreement with Northbrook Energy for the ten megawatts of hydroelectric generation at \$58.31/mWh which provides renewable energy and capacity to the City within the Danville Utilities territory; and

WHEREAS, the resource would benefit the ratepayers of Danville Utilities by providing behind-the-meter generation in an effort to save on rising transmission, capacity, and congestion charges; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that it does hereby approve and authorize the City of Danville to enter into a twenty-five year purchase power agreement and interconnection agreement with Northbrook Energy, for ten megawatts of hydroelectric generation which provides renewable energy and capacity within the Danville Utilities service territory; and

BE IT FURTHER RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, be, and is hereby, authorized and directed to execute the purchase power agreement and interconnection agreement documents necessary to complete the above referenced transactions.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2333

New Business B.

City Council Regular Meeting

Meeting Date: 05/21/2020

Subject: Real Estate Tax Rate

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 05/21/2020

Final Adoption: 06/02/2020

SUMMARY

The Real Estate reassessment is currently underway. Current projections anticipate an overall increase of 3.05% in assessed values as compared to the current assessment. The majority of the anticipated increase, or 3.05%, relates to the reassessment of existing property, while approximately 0.5% is attributed to new construction.

BACKGROUND

The Commonwealth of Virginia Code requires that reassessments resulting in an increase in assessment of 1% or greater be advertised as a tax increase. The advertisement of the real estate tax has to be published 30 days in advance. At that time, the City advertised a real estate tax rate of \$0.84 per \$100 as an effective tax rate increase of no more than 3%. Current data anticipates that maintaining the current rate of \$0.84 would represent a 2.5 cent increase from a revenue neutral rate. For example, property assessed at \$100,000 in the current year would be reassessed at \$103,000 and the tax bill would increase from \$840.00 to \$865.20 annually, an increase of \$25.20 annually or \$12.60 per installment. The estimated increase is an overall average and individual properties may increase at a greater or lesser percentage. The increase in the general reassessment together with new construction is anticipated to generate a \$579,000 increase in real estate revenue for the FY 2021 Budget. The Proposed Budget includes an increase of \$180,000 representing an estimated 1.26% increase in assessed values.

RECOMMENDATION

It is recommended that Danville City Council adopt the attached Ordinance maintaining the current real estate tax rate.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020-_____._____

AN ORDINANCE AMENDING AND REORDAINING SECTIONS 37-27, 37-28 AND 37-29 OF THE DANVILLE CITY CODE THEREBY MAINTAINING THE REAL ESTATE TAX OF EIGHTY-FOUR (84) CENTS ON EVERY ONE HUNDRED DOLLARS OF ASSESSED VALUE EFFECTIVE JULY 1, 2020.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that for the purpose of imposing on all taxable real estate, land, and lots with improvements thereon, not exempt from taxation by law, maintaining the current annual tax of Eighty-four (\$0.84) on every One Hundred Dollars (\$100) of assessed value thereon, Section 37-27, entitled "Tax on real estate and improvements thereon generally," Section 37-28, entitled "Tax on real estate of railroads and utility companies," and Section 37-29, entitled "Tax on vehicles without motive power (manufactured homes)", of Article II, entitled "Levy and Rate of Tax on Real Estate, Tangible Personal Property, Etc.," of Chapter 37, entitled "Taxation," of the Code of the City of Danville, Virginia, 1986, as amended, be and the same are hereby, amended and reordained to read as follows:

Sec. 37-27. Tax on real estate and improvements thereon generally.

Pursuant to Section 58.1-3000 of the Code of Virginia on all taxable real estate, land and lots, with the improvements thereon, not exempt from taxation by law, maintaining the current annual tax of Eighty-four (\$0.84) on every One Hundred Dollars (\$100) of the assessed value thereof.

Sec. 37-28. Tax on real estate of railroads and utility companies.

Pursuant to Chapter 26 of Title 58.1 (Sections 58.1-2600 et seq.) of the Code of Virginia, maintaining the current annual tax of Eighty-four (\$0.84) on every One Hundred

Dollars (\$100) of the real estate of all railroad, telegraph, telephone, power, heat, and light companies.

Sec. 37-29. Tax on vehicles without motive power (manufactured homes).

Pursuant to Section 58.1-3506 of the Code of Virginia, on all vehicles without motive power, as mentioned in such Section, maintaining the current tax of Eighty-four (\$0.84) on every One Hundred Dollars (\$100) of the assessed value thereof.

NOW BE IT ORDAINED that all other provisions and Sections of said Article, Chapter and Code be, and the same are hereby, continued in full force and effect unless and until the same are hereafter amended or repealed.

AND BE IT FURTHER ORDAINED that this Ordinance shall be and become effective on and as of July 1, 2020.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY