

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

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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

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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.

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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

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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

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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:

s/Alonzo L. Jones

MAYOR

ATTEST:

s/Susan M. DeMasi, CMC

CITY CLERK