



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

April 19, 2022

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
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.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. 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. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be

a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Sherman M. Saunders

PLEDGE OF ALLEGIANCE TO THE FLAG

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 March 15, 2022.
Council Letter Number CL - 2753.

- B. Consideration of Amending the Fiscal Year 2022 Budget Appropriation Ordinance for a Byrne Memorial Justice Assistant Grant.
Council Letter Number CL - 2752.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance by Increasing Revenue from the Virginia Criminal Justice Services Board for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award in the Amount of \$75,000 with a Local Share In the Amount of \$25,000 to be Used to Strengthen the Youth Justice Diversion Program.

FINAL ADOPTION

NEW BUSINESS

- A. Review of General Fund Financials as of March 31, 2022.
Council Letter Number CL - 2733.

- B. Consideration of Releasing Existing Tax Liens on Parcel 21914 and Parcel 22219.
Council Letter Number CL - 2740.

A Resolution Approving and Authorizing the Release of City-Held Liens Against Real Property Identified as Parcel #21914 (120 & 122 Kemper Road) and #22219 (124 & 126 Kemper Road) to Facilitate their Transfer to the Danville Neighborhood Development Corporation.

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-2753

Consent Agenda A.

City Council Regular Meeting

Meeting Date: 04/19/2022

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 04/19/2022

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on March 15, 2022.

Council Letter Number CL - 2753.

Attachments

Meeting Minutes

March 15, 2022

The Second Regular March meeting of the Danville City Council was held on March 15, 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

The Invocation was given by J. Lee Vogler, Jr., followed by the Pledge of Allegiance to the Flag.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Proclamation: Peyton Sellers' Day
Presented to: Peyton Sellers

Mr. Sellers thanked Council for the recognition and stated how much this meant to him and his family. He was proud to call Danville his home, and recognized Council for their outstanding leadership in making Danville a wonderful place to live. Mr. Sellers noted his gratitude for having the ability to do what he loves as his livelihood. Council was reminded about the Peyton Sellers event being held on Thursday, March 17 at 12:00pm. All were invited to come out and celebrate Peyton Sellers' Day. Mayor Jones and Council Members thanked Mr. Sellers and his family for coming to the Council Meeting tonight.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Delores and Ralph Rhyme, 273 Mill Creek Lane, Chatham, who wanted to make City Council aware of their nonprofit program God's Final Call and Warning. They distribute food, clothing, necessities, toys, and school supplies in Danville, South Boston, Clarksville, Eden and Martinsville. They were having an event on March 27th, asked Council to attend, and handed out flyers about the event. Mr. Rhyme also asked Council for assistance in using a billboard near their home that was currently unused. The Mayor and Council thanked them for the work they do in the community. City Attorney Clarke Whitfield referred them to Zoning in Community Development for assistance in procuring the billboard for nonprofit use.

CONSENT AGENDA

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

Minutes from the Regular Council Meeting held on February 15, 2022, and Minutes from the Regular Work Session held on February 15, 2022. Draft copies of the minutes had been distributed prior to the meeting.

Budget Amendment – Amending the Fiscal Year 2022 Budget Appropriation Ordinance for State Aviation Capital Grant Funding

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Ordinance No. 2022-03.05, presented by its First Reading on March 1, 2022, Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for Additional State Aviation Funding for the Purpose of Overall Airport Improvements in the Amount of \$114,767 plus the Local Share in the Amount of \$96,888 to be Provided through the Fiscal Year 2022 Issuance of Bonds for Capital and Special Projects 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

APPOINTMENTS

Vice Mayor Miller made the following Appointment recommendations:

To Appoint Tommy Bennett to the Planning Commission Board and to appoint Edgar Love to the Employee Retirement System Board. This will be added to the next Business Agenda.

NEW BUSINESS

REVIEW OF GENERAL FUND FINANCIALS AS OF FEBRUARY 28, 2022

Director of Finance Michael Adkins stated 67% of the fiscal year was complete. Revenues were at approximately \$69.3M and 60% of budget; last year at this time they were at 58% of budget, an increase of \$4.5M over last year. Increases were being seen in two areas, general property taxes and local consumer taxes. In general property taxes, real estate was \$365,000 over last year and personal property tax was about \$744,000 over last year. A portion of this came from shared revenue with the County, with companies like Morgan Olson; the City had new revenue coming in that it did not have last year. On the local consumer driven taxes, the main three, meals, sales, and lodging were all doing very well. Sales were at 73% of budget and \$600,000 more than last year; sales tax was received in monthly installments from the state two months after the retail sales take place. In February, the City received sales tax related to the December retail activity and that was a particularly high month for retail shopping; the City received \$1,165,000 for one month, which was a record for the City, the highest amount they have ever received in one month for sales tax. Meals tax continues to do very well at 77% of budget, roughly \$1M over where it was last February. Lodging taxes have also rebounded at 89% of budget, about \$400,000 more than last year. Business licenses were paid during the month of March, some do opt to pay quarterly, and as of March 15 the City was at 96% of budget; the budget for business licenses was about \$5.5M and he expected to exceed budget by June.

State and federal revenues were on track according to expenditures, with no concerns there. A decrease may be seen compared to last year in noncategorical aid from the state, a portion of that was funding for the Welcome Center. The City receives \$100,000 from the State each year to help operate the Welcome Center, it usually comes in between February and May; it came in February last year and it should be here by the first of April. That timing difference created the decrease from last year; other than that, the revenues looked very good. On the Expenditure side, they were at \$78M, a little less than 63% of budget, and a little behind the two-thirds mark which was good. Departmental expenditures were at 60% of budget which was a good place to be. The City should finish this year's budget under where they had originally planned as far as

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expenditures. Mr. Adkins noted he had no concerns at this time. Council had no questions, and Mayor Jones thanked Mr. Adkins for a great report.

CONSIDERATION OF THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS FOR DANVILLE PUBLIC SCHOOLS.

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

RESOLUTION NO. 2022-03.05

A RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND AWARD BY THE CITY OF DANVILLE, VIRGINIA, OF ITS GENERAL OBLIGATION SCHOOL BONDS, SERIES 2022, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$141,000,000 AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF.

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

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

CONSIDERATION OF APPROVING A MORAL OBLIGATION WITH AMERICAN NATIONAL BANK AND TRUST COMPANY

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

RESOLUTION NO. 2022-03.06

A RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF A MORAL OBLIGATION AGREEMENT BY AND BETWEEN THE CITY OF DANVILLE, VIRGINIA AND AMERICAN NATIONAL BANK AND TRUST COMPANY, A VIRGINIA BANKING CORPORATION.

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

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

CONSIDERATION OF RENAMING STONEWALL RECREATION CENTER TO CAMP GROVE RECREATIONAL CENTER

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

RESOLUTION NO. 2022-03.07

A RESOLUTION RENAMING THE STONEWALL RECREATION CENTER TO THE "CAMP GROVE RECREATIONAL CENTER."

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

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Vice Mayor Miller recognized Tommy Bennett who deserved credit for this taking place and that the residents of Camp Grove wanted this name change. Council Member Vogler stated the residents asked for this change several years ago since that neighborhood mainly uses the facility. City Attorney Clarke Whitfield reminded Council that if this was passed, they will see another ordinance for the voting center name change.

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

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

**CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION
ORDINANCE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF HEALTH**

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

ORDINANCE NO. 2022-03.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF HEALTH IN AN AMOUNT OF \$7,780 AND A LOCAL SHARE IN THE AMOUNT OF \$7,780 FOR EMS EQUIPMENT AND TRAILER THE SWIFT WATER TEAM FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$15,560, AND APPROPRIATING 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 PUBLIC SAFETY TECHNOLOGY MODERNIZATION**

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

ORDINANCE NO. 2022-03.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM VARIOUS TAXES TO PURCHASE PUBLIC SAFETY MODERNIZATION SOFTWARE AND HARDWARE AN APPROPRIATION IN THE AMOUNT OF \$1,500,000 AND APPROPRIATING THE SAME.

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

PRESENTATION OF THE CITY MANAGER'S PROPOSED FISCAL YEAR 2023 BUDGET

City Manager, Ken Larking, reviewed the budget process and deadlines, and stated that a link to this budget will be available online for the public to view. Mr. Larking explained the purpose of tonight's presentation was to give Council a high-level overview of the budget, touching on some things that were themes for this year's budget going forward.

Mr. Larking noted there were no major tax increases included in this budget that were generally applicable to the general public. The Airport Commission has recommended an aircraft tax increase; the tax was currently extremely low at .30 cents, and the recommendation was \$0.69, well in line with other jurisdictions. There were also increased fees for hangar rentals, to bring them more in line with nearby jurisdictions. The City does not currently have a fee for the Maker Space at the Library, and the new Maker Space fee will be \$25.00 per hour for rental of that space. There were no proposed Utility rate or fee changes; their budget was forwarded to City Council as approved by the Utility Commission. Every two years a biennial rate study was conducted, and this was the year that a study was not conducted. In the upcoming months they will begin the process to examine what the rates should be in order to provide services.

Mr. Larking explained in General Fund Highlights, the recommended budget was \$122,537,580, which included major revenue increases of \$340,000 in real estate taxes, \$1,273,580 in personal property taxes, \$846,170 in additional sales taxes, \$1,028,680 in meal taxes, and \$513,450 in hotel taxes. These increases point to the success of investments made in the community and Danville's economy doing so well. Some of the expenditures include significant focus on efforts to invest in the success of the young people, which was the theme of this budget. Also, the City pro-actively changed the pay scale for the police department; it has produced results that were beneficial to the City. The City plans to do that throughout the rest of the organization through increases to meet the State minimum wage requirements. There will be rising personnel costs to continue funding for pay-for-performance increases and compression caused by State minimum wage increases.

Under Utility Fund Highlights, the recommended budget was \$164M, a decrease of \$3.5M over the current year; this includes no changes in rates or fees. This budget includes funds to improve reliability of the electrical system to include right-of-way clearance and continued implementation of substation upgrade plans.

Mr. Larking noted the theme of the budget was investing in the success of the youth, and City Council identified priority areas of education, economic development and public safety. Regarding investing in the success of the youth, Parks and Recreation was strengthening their partnership with Danville Public Schools to implement a robust youth athletic program. He met with Dr. Hairston and staff to discuss how they can better partner with youth athletics and using their facilities together in a more efficient way. Staff was looking at ways to improve athletics, including a new position to assist in building and sustaining youth athletics, and upgrades to two part-time positions to full-time positions to support athletics and programming, and expansion of the Gang Prevention Program to better serve at-risk youth.

With respect to Education, additional state funding was expected, and Council received a copy of the current draft of the school budget that Dr. Hairston provided today. There will be an opportunity for City Council to adopt the School Budget and that will be in a few meetings from now. What he has heard from Dr. Hairston was that they were not asking for any more money this year. They have been leveraging their Federal dollars from the CARES Act and American Rescue Plan Act to implement processes that responded to the pandemic and enabled them to do things without asking for more local money. Their budget will include a 5% pay increase, \$2M in support of routine capital costs, and the implementation of 1% Local Options Sales tax for school construction and renovation. There were other schools in need of repair and maintenance and the \$2M will go toward helping to maintain those schools.

Mr. Larking noted Economic opportunity efforts have proved successful in the area. The award-winning River District, where the City has invested \$50M in public funds has produced \$252M in

private investment. People will see new apartments, retail, restaurants, entertainment, professional office space, and open spaces. The City was recognized for Industrial Recruitment; Site Selection Magazine ranked Danville in the top ten micropolitan areas in the United States. There has been over \$1 billion in capital investment and nearly 4,000 new jobs in the region since 2018; Mr. Larking stated he believed they were also reversing population decline. Property values and demand for housing have gone up as well as demand for apartments which were all good signs of the effort put forth by City Councils in the past to invest in the future. This budget includes new and continued investments in Economic opportunity to continue the work in the River District redevelopment; there were still empty buildings that needed to be filled. The City wants to continue their industrial recruitment, site development, commercial revitalization, incentive programs. The Economic Development department will be, and has been, focusing on making sure that Danville supports minority and women owned businesses so that everyone, no matter who they were in the community, had an opportunity to participate in Danville's success.

With regard to tourism development, in about a year and a half, Danville will have the start of two million visitors per day coming to Danville to visit the casino resort. While they were here, they may spend a day or two, or maybe longer, and staff wants them to see what else was happening. Danville has a lot to celebrate, with a lot of tourism assets. Last year, Council decided to start a Tourism Program and staff wants to continue that effort with an enhanced tourism program. They were doing what was necessary to make sure people who visit the community in about eighteen months, know there was more to see in Danville. Enhanced promotion and an enhanced welcome center were part of the budget recommendation.

Mr. Larking noted Public safety efforts have produced results. Looking at the past three years and compared to the three years prior to when Council and the City were focused on community engagement through policing, and the prevention and intervention efforts through the Gang Prevention Program, Danville reduced violent crime by 50%. Crime rates were falling in Danville and will continue to fall because Danville was focused on suppression, intervention and prevention. Mr. Larking noted they expect in April that the Police Department will have CALEA accreditation on top of their other accreditations; they were very proud of the efforts of the Police Department. Project Imagine has received multiple accolades over the years since they began and their efforts continue; Mr. David was often asked to be a speaker at national events, to talk about what was being done in Danville and how it was making a difference. There was new equipment for new Police Headquarters, additional closed circuit television cameras, and new police personnel equipment included in the budget. Every year, the City replaces one of the fire trucks, either a fire engine or one of the ladder trucks; this year it was one of the fire engines and they have also included in the budget a backup E-911 Dispatch Center which will be located in the new police headquarters.

Mr. Larking discussed additional investments that were being made to make Danville HOME. Infrastructure funds were included for the Airport South Ramp Rehabilitation; this will support aircraft usage and was heavily funded by State and Federal Funds, and site prep for a Corporate Hangar was also mostly paid for by grant funds. They will continue streetscape improvements, and as the Police Department vacates City Hall, there will be space where they can bring in the Commonwealth Attorney's office on the first floor. There will need to be some renovation associated with that and moving of other departments in City Hall.

Quality housing has been a focus of City Council for many years and staff wants to continue that focus; housing was extremely important when it comes to Economic Development. The City needs to eliminate blight, invest in neighborhood revitalization and make homes more attractive to people who were looking to live in the community. Improving health and quality of life amenities

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was about Parks & Recreation, with upgrades to the Coates Recreation Center which will add a place where people can work on computers and check out books. There were neighborhood park upgrades included in the budget. The covered bridge, which was currently being remediated from its environmental issues using funds from the IDA and grant funds from the state, had funding in the budget to do a design to include that into the Riverwalk Trail. The City wants to continue to maintain and expand the Riverwalk Trail; it was a great amenity for the community.

Mayor Jones asked City Attorney Clarke Whitfield to come forward and explain more of Council's responsibilities for school funding. Mr. Whitfield explained there was a formula that was set, and it was different for every locality. Every locality had a minimum amount of money that they must provide to the school board. One thing that had been discussed was the way that the Virginia code allows funding to be done. The first was the locality had to give the bare minimum amount; traditionally Council has given a lump sum. There was another way that funding can be given to the School Board as well. There were nine categories the Virginia Code lists that have to be funded in a School Board budget. Rather than just a lump sum, localities can put money into each of those nine categories; that assures that each one of those categories is fully funded. The limiting factor was the School Board had to live within the means of each fund.

Mayor Jones questioned Council if they had any questions for the City Manager or City Attorney and suggested to Council that they may consider continuing two on two meetings with the City Manager and Dr. Hairston, or additional work sessions. The Consensus was to continue meeting two at a time with the City Manager. Mayor Jones thanked the City Manager and City Attorney for their presentation.

Council Member Whittle asked regarding the nine categories of school funding if the 1% tax increase could be placed into the nine categories. Mr. Whitfield noted it could not, that 1% was going directly to school improvements only. Council Member Vogler thanked Dr. Hairston for her detailed breakdown of the School Board budget, and voiced his support of funding the nine categories. Vice Mayor Miller noted he would need further explanation of the nine categories and receive feedback from the Superintendent on how they could make that work before he could support funding this way. Council Member Saunders stated, with growth comes challenges. They do not live in the past, but do review the past to improve the future, and they still have some challenges. Communication was imperative; there was still have more work to do and was glad that they were making progress.

Council Member Campbell stated he appreciated the preliminary budget. Reverend Campbell noted he remembered when the Regional Foundation sponsored community leaders to go to Kentucky and Tennessee to study the riverbank and would like to present the idea of a port authority. This will supply landowners with marketing and economic development services, and will also encourage more economic activities along the riverbank. He would like staff to research that and make a presentation, to try to maximize the river.

Council Member Whittle stated with regard to the Airport, he had asked a few years ago if it was possible to bring in a small commercial flight; it would be a couple million dollars a year. He would like Council to think about that because within a year it was going to be imperative that the City have something like that. VIR brings in as big planes as they can and was sure the casino will fly in the biggest planes they can. He would like it to be considered that a small regional jet from American Airlines be able to fly in twice a day. Mr. Whittle questioned the \$1.5M for the Police Department that was approved tonight, was that part of the \$1.5M in the budget or separate and Mr. Larking stated that the public safety information system that the City uses covers Police, Fire, Dispatch, and operations of the record keeping. The current system was out of date and not

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being supported. The City was in need of a new total system replacement that will take a couple of years to complete. The budget amendment that was approved earlier this evening will help staff start that process, and they will need funding in future years to complete it.

Council Member Whittle asked the City Manager about the City's surveillance systems and Mr. Larking explained every year for the past few years the City has included additional dollars to expand the CCTV program. It has been extremely helpful in solving crimes, and knows of multiple examples where they have used the information from the CCTV system to solve crimes quickly.

Council Member Whittle asked in regard to the school system, the city has budgeted around \$22M to \$25M, was that a baseline, and then there was a couple million more for the continuing maintenance on the school buildings that may not be part of the \$150M from the 1% sales tax. Mr. Larking explained the request for operations was about \$22M, and \$2M on top of that for capital which was flat from the current year. There was debt service that the City has to pay but that has actually gone down. What the City will be spending on education next fiscal year, if approved, will be a little less than what was in the current year. The 1% local options sales tax, because interest rates were actually rising a little, what they hoped would be closer to \$140M was now looking more like \$129M based on estimates.

Council Member Whittle asked in regard to the neighborhood parks, were those parks being worked on separately from the riverfront park downtown, and Mr. Larking stated that they were separate from the riverfront park. The City was investing in improving the neighborhoods and part of that was upgrading the local parks, making sure they have the best equipment so that children can play and enjoy the amenities within walking distance from their home. Council Member Whittle asked about the Optimist League, basketball, baseball, and football, that will be the three sports tied in with the education program, and Mr. Larking stated that there will be a robust athletics program in partnership with Danville Public Schools, and also with an enhanced athletic division in Parks and Recreation; they will be promoting all sports. The City needs to promote, recruit, encourage, and provide kids the opportunity, facilities and equipment to do so. They were currently in the process of hiring a new Athletic Director and if the positions were approved in the budget, they will have staff to support implementing the program. Dr. Hairston has often spoken of how important athletics was to the success of a young person because it provides them with something productive to do after school.

There were no further questions.

COMMUNICATIONS

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

Mr. Whitfield noted that Council had been interested in implementing an open outdoor refreshment area. That would allow someone who ordered an alcoholic beverage at one of the ABC retailers in the River District restaurants to be able to take that drink with them. There were very specific guidelines stating that the alcoholic beverage could only be bought from an ABC retailer, and they could only be taken on property that private property owners would allow. Within the River District there were City and school board property where this will not be allowed. It was something that a lot of communities were starting to do, it would be an enhancement to the River District and there would be a map that would show where people were allowed to go. Vice Mayor Miller asked if it would be required to be in a bag and Mr. Whitfield replied that it would not; wherever the beverage was brought from would have to place it in a paper or plastic cup that identified where it was purchased so it could be identified as coming from someone with an ABC

license. This will mainly allow citizens to be outside on the sidewalks or on the plaza enjoying the amenities. Council Member Vogler stated this will enhance what was being done in the River District. The state was saying a locality can have three of these outdoor beverage zones, and he would be ready to vote on this at the next meeting if there were no objections. Council Member Saunders noted the City was looking at having a Riverfront Park in the River District where children will be present. Will that be an issue in regard to bringing in alcoholic beverages and Mr. Whitfield stated that would have to be something Council would have to decide. The Riverfront Park can be taken out of the zone but typically people should be drinking responsibly, and there will be people monitoring at all times. Mayor Jones thanked the City Attorney and asked that information on this be sent out prior to the next meeting.

ROLL CALL

Council Member Mayo noted that this was a great meeting, thanked the City Manager for the budget presentation, and congratulations to Peyton Sellers and Mr. and Mrs. Rhyne for what they were doing for the community. Mr. Mayo noted he was proud of Council and how they were working as a cohesive team.

Vice Mayor Miller noted this week, on Monday, several Council Members got to watch the wrecking ball in Schoolfield and people were finally noting that it looked like progress was being made. Over the past several years he has spoken bleakly about the COVID status, noted things were looking up and numbers were down, but they were not out of this yet, and one thing that citizens can do was get the vaccine. Dr. Miller noted their hearts were with the people in Ukraine.

Council Member Saunders noted that in regard to the sports and many activities, Council Member Mayo was a certified coach in all areas of sports and was sure he would volunteer his services. Mr. Saunders noted his congratulations to Mr. Sellers and his family; he had attended a NASCAR event at the White House one year, Mr. Sellers' name was mentioned and that makes Danville very proud.

Council Member Vogler thanked the City Manager for his presentation of the proposed budget and was very glad to see that a library will be returning to the Westover area with the improvements being made at Coates. Mr. Vogler noted a group of Council Members were at the demolition of the Finishing Building at Dan River Mills. There was a photo of all of them there and believed that photo was symbolic of all that was taking place in Danville; he also wanted to thank former Council Members Shanks and Tomer who were with Council getting this process started. In the year 2000 the City was coming out of a period where Dan River Mills had left and there was a national recession crushing everyone; in 2010 Danville was essentially at rock bottom. Council spent the next decade laying the foundation for a new Danville and believed in this decade, citizens were going to see the house built on that foundation.

Council Member Whittle noted that every now and then they go race 24-hour races at VIR, with all kinds of people going; they change drivers every couple hours and maybe his car was a little underpowered at the time, but a truck passed him going about 100 mph. He thought it was Peyton Sellers, so he didn't feel so bad, but it turned out to be his dad, Burt. Mr. Whittle noted he appreciated everything that Peyton Sellers and his family does for the community.

Council Member Buckner congratulated Peyton Sellers and his family for being a staple in the community, and appreciates everything they do. Mr. Buckner noted there were a lot of fun and exciting things going on in Danville, and there were ribbon cuttings going on almost every week. Saturday's ribbon cutting was at Pie Five, Edible Arrangements, and Which Wich, it was a great

March 15, 2022

time for Council to get together and celebrate new businesses opening. Council also has a ribbon cutting Friday evening at Culture restaurant; the building has been rehabbed and looks absolutely incredible. There was a groundbreaking ceremony at Langston on Wednesday, and the celebration on Thursday for Peyton Sellers at Advance Auto Parts. Mr. Buckner encouraged citizens to come out and support the community.

Council Member Campbell noted that hearing all the comments tonight shows that Danville was really on the move, and wanted to thank some of the people that make that happen, including the City Manager and Deputy City Manager, the Mayor and members of Council. Reverend Campbell stated that when Mr. Vogler talked about Schoolfield and the people involved, he would also like to mention that Linwood Wright was also a major participant in getting things done in Danville.

Council Member Hood noted that as the City approaches a new season, to remember that Danville can continue to show collaborations throughout the community, by springing forward. Mr. Hood stated he wanted to congratulate Mr. Sellers once again, the House of Fashion (Kelly Cunningham), KaZelle & Company (Casey Cunningham), and Soul of the Sea (Justin Williams). Mr. Hood thanked the City Manager for presenting the proposed budget and being transparent, and thanked everyone in chambers for coming out.

Mayor Jones asked the City Manager to present the budget team and the new Budget Director, Henrietta Weaver. Mayor Jones also recognized Mrs. Ruth, thanked her for watching council meetings and keeping up with her community, and thanked Peyton Sellers for all he and his family have done for the community. Mayor Jones thanked the City Manager and City Attorney for their work, and Vice Mayor Miller and Council Member Saunders for serving on the education board, congratulated Anne Moore-Sparks as the new CEO of the Chamber, and thanked everyone for attending tonight's meeting.

The meeting adjourned at: 8:51 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2752

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 04/19/2022

Subject: Appropriation of Byrne Justice Assistant Grant Funds

From: Earl B. Reynolds, Jr., Deputy City Manager

COUNCIL ACTION

First Reading: 04/05/2022

Final Adoption: 04/19/2022

SUMMARY

HB 2017, Youth Diversion Programs, was passed by the Virginia General Assembly during the 2021 Session. The City of Danville supported the passage of the Youth Justice and Division Program legislation which allows for the development of alternatives to strict juvenile court intervention. Until this legislation was passed, no such alternatives were available in Virginia. The text of the subject legislation is attached.

In August 2021, The Center for Youth and Family Advocacy (CYFA) was retained to guide the process of establishing a program in Danville that meets the legislative requirements and has full community support. A task of CYFA was to help obtain additional funding to support planning and program development activities.

BACKGROUND

In December 2021, the Commonwealth's Department of Criminal Justice Services approved a Byrne Justice Assistant Grant award in the amount of \$75,000 to assist with the further development of two program initiatives: the Promoting Empathy through Equitable Resolution (PEER) and Youth PEER Court (YPC) programs, to ensure compliance with the 2021 Youth Diversion Programs Legislation. The required match is covered by funds already appropriated to support the work being carried out by the Center for Youth and Family Advocacy on behalf of the City.

RECOMMENDATION

It is recommended that the City Council adopt the attached ordinance which will authorize the appropriation of the Byrne Justice Assistant Grant in the amount of \$75,000.

Attachments

Ordinance

Legislation

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022-_____._____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE VIRGINIA CRIMINAL JUSTICE SERVICES BOARD FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD IN THE AMOUNT OF \$75,000 WITH A LOCAL SHARE IN THE AMOUNT OF \$25,000 TO BE USED TO STRENGTHEN THE YOUTH JUSTICE DIVERSION PROGRAM.

WHEREAS, the City of Danville, has received an award from the Department of Criminal Justice Services Board (DCJS) under the Edward Byrne Justice Assistance Grant (JAG) Program in the amount of \$75,000; and

WHEREAS, this grant is named in honor of NYPD Officer Edward Byrne, who was murdered in the line of duty on February 26, 1988, while serving on a detail that was protecting a witness who had agreed to testify against local drug dealers; and

WHEREAS, the funding from this award will be used to assist with the further development of two program initiatives, the Promoting Empathy through Equitable Resolution (PEER) and Youth PEER Court (YPC), to ensure compliance with the 2021 Youth Justice Diversion Program Legislation; and

WHEREAS, the grant will require matching funds in the amount of \$25,000, which will be taken from the Federal American Rescue Plan.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues to anticipate the receipt of funds in the amount of \$75,000 from the Department of Criminal Justice Services (DCJS) under the Edward Byrne Memorial Justice Assistance Grand (JAG) program and appropriating the same as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Federal DCJS-Byrne JAG Youth Engagement	61753000-48230	\$75,000

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
DCJS-Byrne JAG Youth Engagement	61753999-50	\$75,000

AND BE IT FURTHER ORDAINED, that a transfer from Federal American Rescue Plan revenue and appropriation is hereby authorized to cover the local share as follows:

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Federal American Rescue Plan	61667000-48060	\$25,000
American Rescue Plan	61667999-50	\$25,000

TRANSFERRED TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Federal Aid	61753000-48060	\$25,000
DCJS-Byrne JAG Youth Engagement	61753999-50	\$25,000

AND BE IT FURTHER ORDAINED, that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated; and

BE IT FINALLY ORDAINED, that all other accounts and provisions of the Fiscal Year 2022 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Deputy City Attorney

§ 16.1-309.11. Youth justice diversion program

A. For the purposes of this section, "youth justice diversion program" means a diversionary program that (i) is monitored by a local youth justice diversion program advisory committee; (ii) uses juvenile volunteers as lawyers, jurors, and other court personnel; (iii) uses volunteer attorneys as judges; (iv) conducts peer trials of juveniles who are referred to the program by the intake officer; and (v) imposes various sentences emphasizing restitution, rehabilitation, accountability, competency building, and education, but not incarceration.

B. Any jurisdiction may establish a youth justice diversion program upon establishment of a local youth justice diversion program advisory committee and approval of the youth justice diversion program by the chief judge of the juvenile and domestic relations district court that serves such jurisdiction. Each local youth justice diversion program advisory committee shall ensure quality, efficiency, and fairness in the planning, implementation, and operation of the youth justice diversion program that serves the jurisdiction. Advisory committee membership may include, but shall not be limited to, the following persons or their designees: (i) a judge from the juvenile and domestic relations district court that serves such jurisdiction; (ii) the attorney for the Commonwealth; (iii) the public defender or a member of the local criminal defense bar in jurisdictions in which there is no public defender; (iv) the clerk of the court in which the youth justice diversion program is located; (v) a representative of the Department of Juvenile Justice from the local office that serves the jurisdiction; (vi) a local law-enforcement officer; (vii) a representative of a local school in such jurisdiction; (viii) a representative of juvenile court services; (ix) a representative of a juvenile detention center or group home; (x) a representative of a local children and family services agency; and (xi) any other persons selected by the local youth justice diversion program advisory committee.

C. Each local youth justice diversion program advisory committee shall establish criteria for the eligibility and participation of juveniles alleged to have committed a delinquent act other than an act that would be a felony or a Class 1 misdemeanor if committed by an adult in the youth justice diversion program, with the consent of the juvenile's parent or legal guardian.

D. Each local youth justice diversion program advisory committee shall establish policies and procedures for the operation of the youth justice diversion program to attain the following goals: (i) early intervention in and prevention of delinquent behavior; (ii) providing positive alternative sanctions for offenders by providing a peer-driven sentencing mechanism that allows young people to take responsibility, to be held accountable, and to make restitution; (iii) advocating for fair, constructive, and restorative sentences predicated on sensitivity to the unique needs and the diversity of the participating juveniles; and (iv) developing positive citizenship attitudes, encouraging civic engagement, and promoting educational success through a diversity of service learning opportunities, strategies, and activities.

E. All records and reports concerning juvenile participants in a local youth justice diversion program made available to members of a local youth justice diversion program advisory committee and volunteers of a local youth justice diversion program and all records and reports

identifying a juvenile participant that are generated by the committee or program from such reports shall be confidential and shall not be disclosed, except as authorized by other applicable law.

F. A juvenile referred to a youth justice diversion program may be required to contribute to the cost of the program pursuant to guidelines developed by the local youth justice diversion program advisory committee.

2021, Sp. Sess. I, c. [457](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Council Letter

City of Danville, Virginia



CL-2733

New Business A.

City Council Regular Meeting

Meeting Date: 04/19/2022

Subject: General Fund Monthly Financial Report

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 04/19/2022

SUMMARY

A brief summary of the General Fund financial results through March 31, 2022, will be given. Financial statements are included.

Attachments

Financial Statements



To: Ken F. Larking, City Manager

From: Michael L. Adkins, Chief Financial Officer

Date: April 8, 2022

Subject: Summary of Preliminary General Fund Financial Results for March 31, 2022

After completing the first three quarters of fiscal year 2022, revenues are performing well and are exceeding the previous year. At March 31, General Fund revenues were \$77,815,641. This represents 67.3% of our FY 2022 budget and an increase of \$3.7 million over the prior year. Last year, at this time, we had collected \$74,075,976 or 66.25% of budget.

General Property Tax collections continue to perform well with 53.7% of the budgeted real estate tax realized at the end of March. We continue to see steady performance in the collection of delinquent real estate taxes this year with \$769,194 realized in the first nine months of this fiscal year. This accounts for 73% of the current year budget. Personal property tax collections are tracking as expected with 51% collected as of March 31. The spring tax bills will be mailed during the first week of May and will be due June 6, 2022.

Local consumer taxes have rebounded beyond pre-pandemic levels with \$23,893,946 or 82.2% of budget collected through March 31. This exceeds March 2021 collections by \$2,636,014. Sales tax collections through March amounted to \$8,121,014 or 80.3% of budget, an increase of \$603,894 from last year. Meals taxes collected for the first nine months of the fiscal year amounted to \$7,319,095 or 86.4% of budget, an increase of \$1,079,313 from last year. Business Licenses realized at the end of March were \$5,357,054 an increase of \$535,645 from the prior year. Lodging taxes received as of March 31 were \$1,477,821 or 97.8% of budget, an increase of \$424,178 from the prior year.

With regard to other revenue categories, a decrease of \$335,172 is seen in Non-Categorical Aid, \$100,000 of which is a timing difference with funding for the Welcome Center. The remainder is a decrease in Telecommunications tax revenue. In addition, there is a \$553,677 decrease in Categorical Aid (State) specifically in Social Services, resulting from lower expenditures. A decrease of \$177,048 is noted in Charges for Services for detention within the City Jail and Adult and Juvenile Detention. Nearly all

other revenue categories are at or near the prior year and are tracking well with budget at this point.

Expenditures at March 31 were \$87,908,53 or 70.6% of budget. This is an increase of \$3.2 million when compared to March 31, 2021. The net increase is due to the budgeted increase in and timing of transfers to schools offset by a decrease in the transfers to other funds and a net increase in departmental expenditures. Danville Public Schools has been drawing down local funds much more rapidly this year than last with the resumption of in-person instruction but will not exceed budgeted amounts. The Schools also had a larger than usual carryforward of unspent local funding from the prior fiscal year resulting in the increased budgeted amount for the current year.

Departmental expenditures at the end of March show spending levels at 67% of budget and an increase of \$1.8 million from last year. Most significantly, in the prior fiscal year we allocated one month of public safety salaries to CARES Act funding which amounted to approximately \$1 million. Offsetting the increase in public safety is a decrease within community development related to debt service for the IDA. The IDA will be using proceeds from the sale of the Schoolfield property to cover debt service in FY 2022 and FY 2023.

Overall, General Fund expenditures exceeded revenues by \$10,092,892 at March 31. A deficit is typical for much of the fiscal year in the General Fund because the timing of the revenue recognition is not matched to expenditures. The next influx of revenue will occur in May and June when real estate and personal property tax bills are levied.

At this point, the General Fund is performing well with several revenues exceeding budgeted expectations and departmental expenditures trailing the budget. We will continue to monitor the financial performance in the General Fund and alert you of any significant developments

CITY OF DANVILLE, VIRGINIA
GENERAL FUND REPORT
75% OF YEAR LAPSED AS OF March 31, 2022
****PRE-CLOSING FIGURES - SUBJECT TO CHANGE - UNAUDITED****

	Budgets & Appropriations For Current Year	Actual Revenues & Expenditures For Year-to-Date	Percent Realized/Expended This Year	Encumbrances	Balance to be Realized/Expended	Actual Revenues & Expenditures At This Date Last Year
REVENUES:						
Property Taxes	\$ 35,212,000	\$ 18,902,843	53.68%		\$ 16,309,157	\$ 17,862,366
Other Local Taxes	29,064,030	23,893,946	82.21%		5,170,084	21,257,932
License Permits & Privilege Fees	1,196,690	382,671	31.98%		814,019	179,006
Fines & Forfeitures	338,050	156,818	46.39%		181,232	175,635
Revenue From Use Money & Property	1,176,580	1,162,585	98.81%		13,995	842,282
Charges For Services	3,295,520	2,053,858	62.32%		1,241,662	2,230,906
Miscellaneous Revenue	306,170	163,509	53.40%		142,661	213,756
Recovered Cost	8,128,990	5,416,739	66.63%		2,712,251	5,897,221
Non-Categorical Aid	5,726,620	3,995,356	69.77%		1,731,264	4,330,528
Shared Expenses (Categ. Aid State)	5,260,160	3,960,417	75.29%		1,299,743	3,779,009
Categorical Aid (State)	9,587,440	5,228,154	54.53%		4,359,286	5,781,831
Emergency Services (Federal)	27,020	-	0.00%		27,020	-
Categorical Aid (Federal)	-	6,630			(6,630)	10,754
Transfers From Utilities/Cap Project	16,369,363	12,492,113	76.31%		3,877,250	11,514,750
TOTAL REVENUES	\$ 115,688,633	\$ 77,815,641	67.26%		\$ 37,872,992	\$ 74,075,976
EXPENDITURES:						
General Government Administration	\$ 12,158,979	\$ 8,958,702	73.68%	\$ 545,910	\$ 3,200,277	\$ 8,251,971
Judicial Administration	7,546,002	5,572,253	73.84%	2,095	1,973,749	5,378,877
Public Safety	32,989,344	22,962,218	69.60%	1,267,205	10,027,126	21,877,342
Public Works	4,641,926	3,120,075	67.22%	88,387	1,521,851	3,110,459
Health, Education, Welfare & Soc. Svc.	9,358,540	4,933,524	52.72%	68,374	4,425,016	5,038,549
Parks, Recreation & Cultural	5,484,032	3,368,867	61.43%	95,447	2,115,165	3,207,609
Community Development	2,110,985	1,229,027	58.22%	229,009	881,958	1,484,241
Non-Departmental	12,946,303	11,203,436	86.54%	208	1,742,867	10,273,322
Transfer to Schools - Operating	33,606,300	24,421,324	72.67%	9,184,977	(0)	19,589,349
Transfer to Capital Projects	2,013,230	708,713	35.20%	-	1,304,517	3,694,870
Transfer to Other Funds	1,614,940	1,430,393	88.57%	-	184,547	2,833,488
TOTAL EXPENDITURES	\$ 124,470,582	\$ 87,908,533	70.63%	\$ 11,481,610	\$ 27,377,072	\$ 84,740,077
Revenue over(under) Expenditures		<u>\$ (10,092,892)</u>				<u>\$ (10,664,101)</u>
FUND BALANCE:						
Beginning Fund Balance 07/01/2021		\$ 47,090,495				\$ 43,310,847
Revenue over(under) Expenditures		(10,092,892)				(10,664,101)
Ending Fund Balance 03/31/2022		<u>\$ 36,997,603</u>				<u>\$ 32,646,746</u>
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 16,765,461				\$ 10,007,644
Unassigned		<u>20,232,142</u>				<u>22,639,102</u>
TOTAL FUND BALANCE 03/31/2022		<u>\$ 36,997,603</u>				<u>\$ 32,646,746</u>

City of Danville, Virginia
Summary of Other Local Tax Revenues - PRE-CLOSING - UNAUDITED
For the period ending March 31, 2022

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 10,115,880	\$ 8,121,014	80.28%	\$ 9,150,000	\$ 7,517,120	82.15%
Business Licenses	5,450,000	5,357,054	98.29%	5,250,000	4,821,408	91.84%
Meals Tax	8,471,320	7,319,095	86.40%	8,645,000	6,239,782	72.18%
Utility Taxes	940,000	714,811	76.04%	967,000	706,447	73.06%
Vehicle License Fees	1,000,000	310,228	31.02%	990,000	319,854	32.31%
Bank Stock Tax	940,000	4,902	0.52%	900,000	3,658	0.41%
Recordation Tax	200,000	268,751	134.38%	180,000	283,514	157.51%
Hotel Motel Tax	1,511,630	1,477,821	97.76%	1,600,000	1,053,643	65.85%
Daily Property Rental Tax	13,200	12,212	92.51%	15,000	9,594	63.96%
Motor Vehicle Tax	162,000	152,990	94.44%	175,000	149,602	85.49%
DMV Fees	260,000	155,068	59.64%	245,000	153,310	62.58%
TOTAL	\$ 29,064,030	\$ 23,893,946	82.21%	\$ 28,117,000	\$ 21,257,932	75.61%

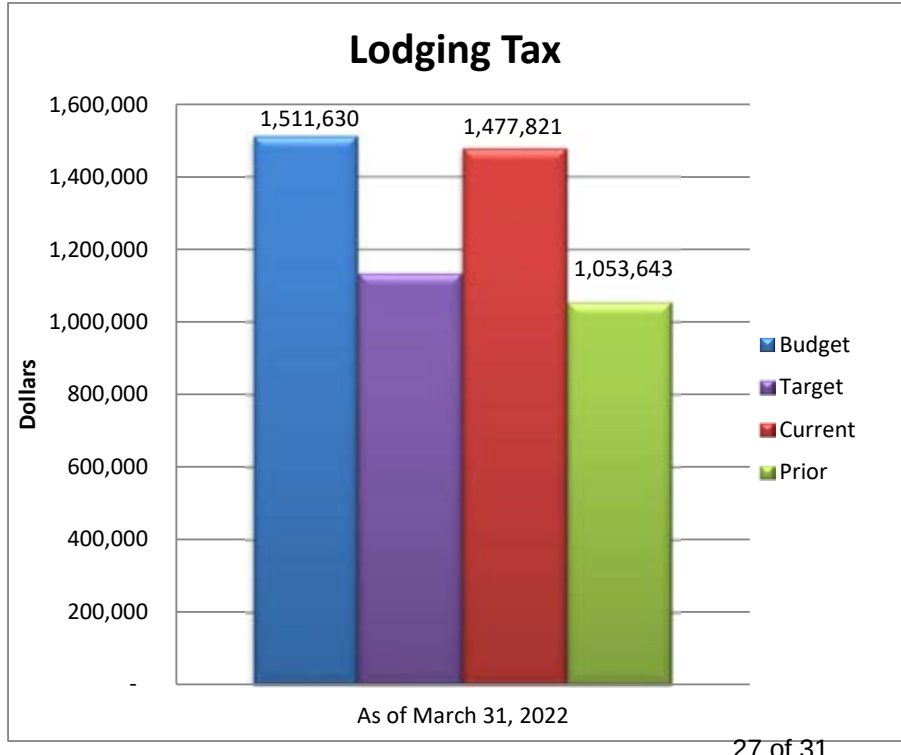
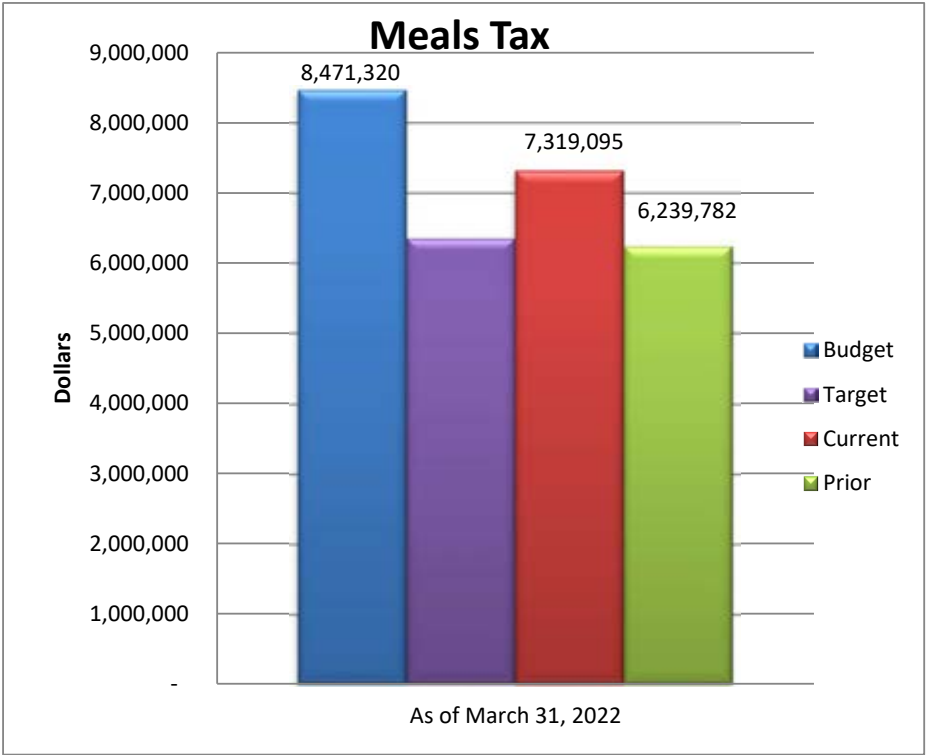
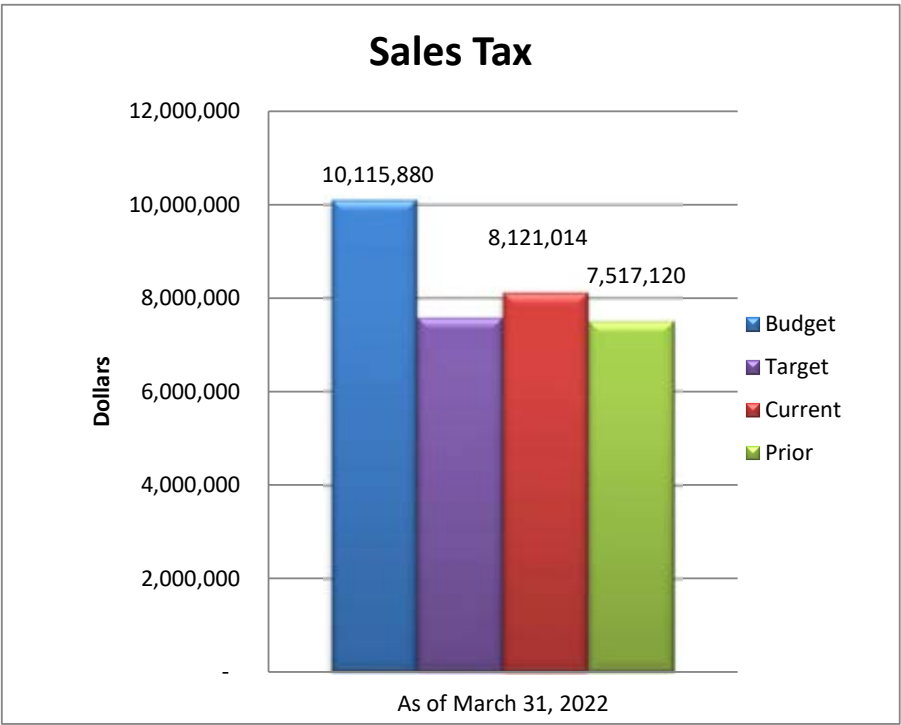
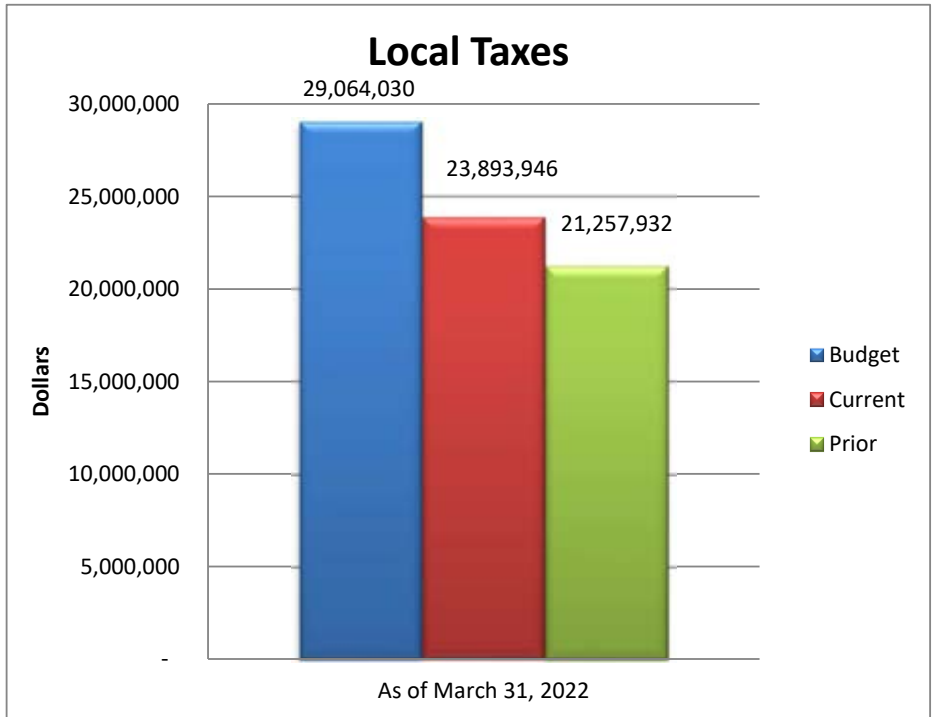
**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF March 31, 2022**

Beginning Total Fund Balance, July 1, 2021	\$ 47,090,495.25
Add: General Fund Revenues	77,815,640.84
Deduct: General Fund Expenditures	<u>(87,908,532.73)</u>
Ending Total Fund Balance, March 31, 2022	<u><u>\$ 36,997,603.36</u></u>

Composition of Fund Balance:

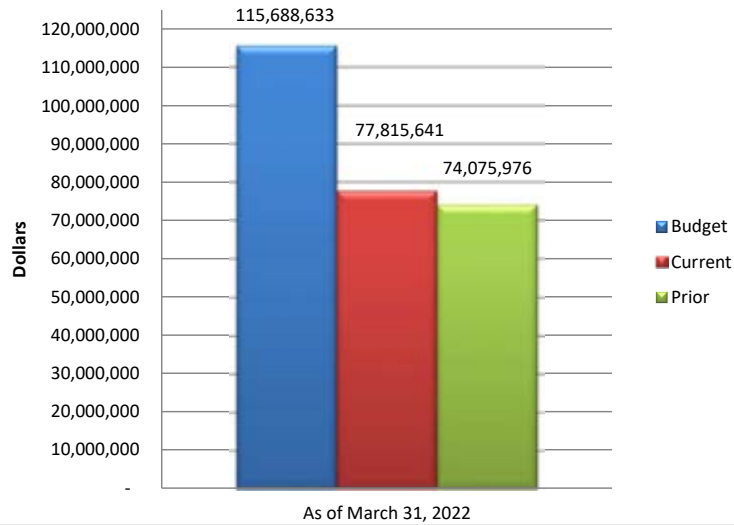
Restricted for Commonwealth Attorney	\$ 102,056.79
Restricted for Police Department	33,612.66
Restricted for Fire Department	117,724.87
Committed for Sheriff's Department	115.34
Committed to Schools	9,184,977.00
Committed to Budget Stabilization	3,000,000.00
Assigned to Community Development	10,568.12
Assigned for Encumbrances	2,296,633.49
Nonspendable (Inventory and Prepaids)	2,019,773.14
UNASSIGNED	<u>20,232,141.95</u>
Total Fund Balance, March 31, 2022	<u><u>\$ 36,997,603.36</u></u>

Unassigned fund balance from above	\$ 20,232,141.95
Unassigned Minimum per policy (20% of General Fund Operating Revenues) based on FY 2022 budget	<u>23,137,726.65</u>
Current surplus (deficit) over (under) minimum	\$ (2,905,584.70)

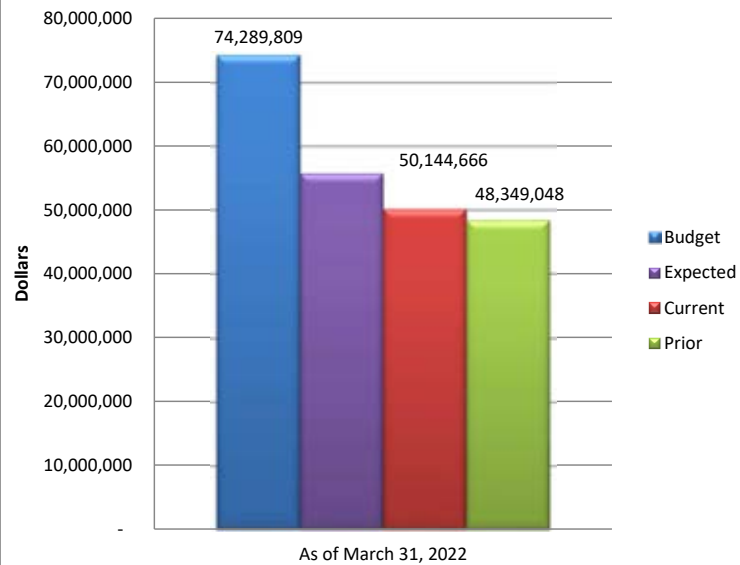


Total Revenues

(excluding bonds)

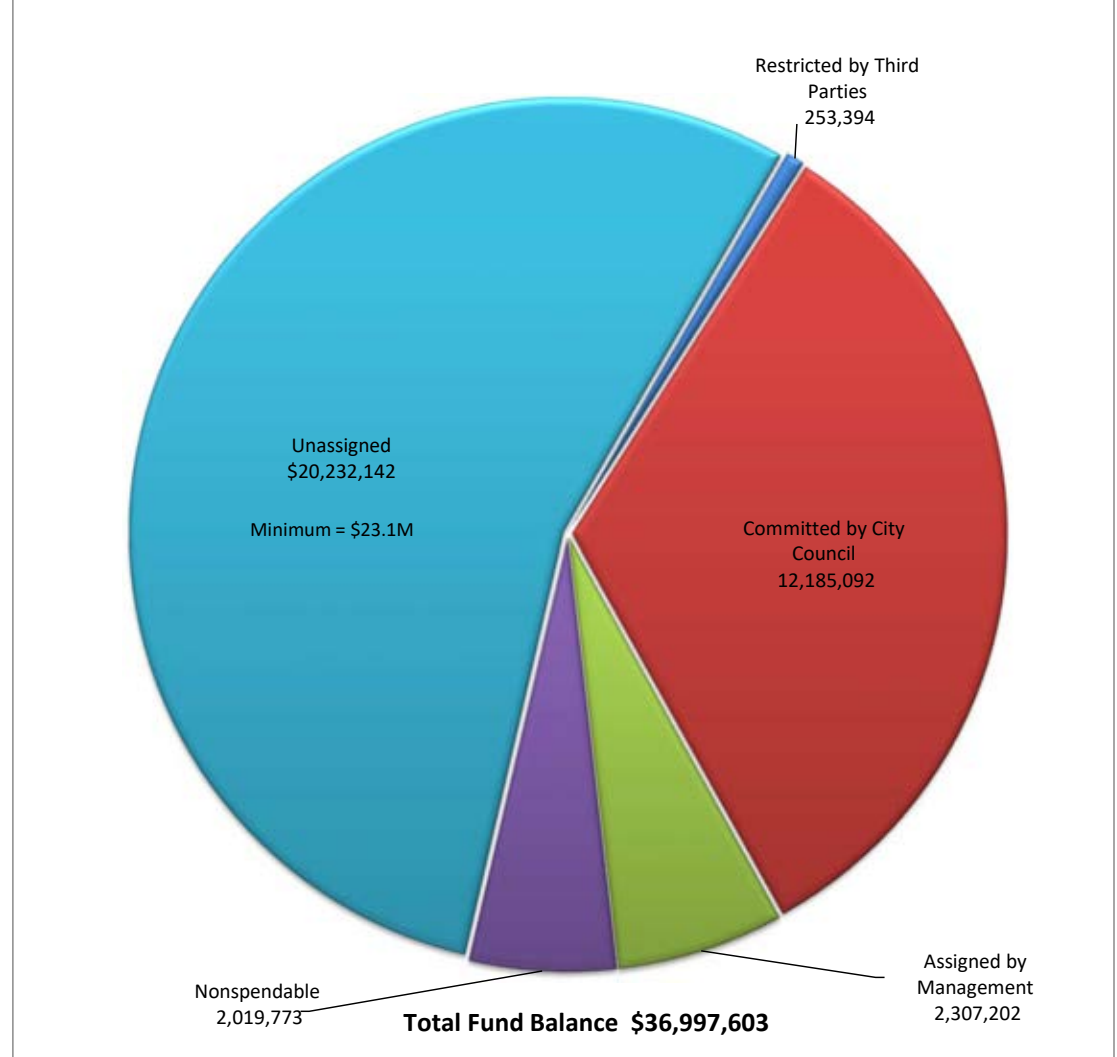


Departmental Spending



Fund Balance - General Fund

as of March 31, 2022



Council Letter

City of Danville, Virginia



CL-2740

New Business B.

City Council Regular Meeting

Meeting Date: 04/19/2022

Subject: Consideration of Releasing Existing Tax Liens on Parcel 21914 and Parcel 22219

From: W. Clarke Whitfield, Jr., City Attorney

COUNCIL ACTION

Business Meeting: 04/19/2022

SUMMARY

City Staff is seeking approval from City Council to release three nuisance abatement liens, and associated costs and delinquencies, affecting two parcels of land on Kemper Road to grant its owner, the Danville Neighborhood Development Corporation (DNDC), clear marketable title.

BACKGROUND

The City is interested in rehabilitating and preserving the unique historic character of Kemper Road to encourage growth around the DCC Corridor. In furtherance of this plan, DNDC is interested in redeveloping several blighted properties it recently purchased located on Kemper Road, identified as Parcel #21914 (120 & 122 Kemper Road) and #22219 (124 & 126 Kemper Road.) In order to complete this as planned, the DNDC must acquire marketable title. At present time, there are three City-held liens for nuisance abatement services affecting the Parcels, as well as delinquent taxes, interest, and collection agency fees of approximately \$5,450.00 that are tied up in bankruptcy. Due to this bankruptcy, the closing agent relied upon figures that had not been updated between Taxing Authority Consulting Services, PC (TACS) and the Finance Department.

The City has authority under State law to release the liens to allow for the transfer of the Parcels to an unrelated owner, such as DNDC. By releasing the liens, DNDC will have clear title of the Parcels. City Staff has determined that releasing the outstanding liens, delinquencies, and associated costs would be of benefit to the City by increasing the taxable value of the Parcel, and enabling stabilization and rehabilitation of the structures.

RECOMMENDATION

City staff recommends releasing the existing liens, associated collection costs and interest affecting Parcel #21914 (120 & 122 Kemper Road) and #22219 (124 & 126 Kemper Road) to assist DNDC with the preservation and redevelopment of the Kemper Road area.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION APPROVING AND AUTHORIZING THE RELEASE OF CITY-HELD LIENS AGAINST REAL PROPERTY IDENTIFIED AS PARCEL #21914 (120 & 122 KEMPER ROAD) and #22219 (124 & 126 KEMPER ROAD) TO FACILITATE THEIR TRANSFER TO THE DANVILLE NEIGHBORHOOD DEVELOPMENT CORPORATION.

WHEREAS, The City of Danville, since 2016, in furtherance of its duty to protect the health and safety of the community, has recorded three (3) liens total at the Circuit Court against 120 & 122 Kemper Road (Parcel #21914) and 124 & 126 Kemper Road (Parcel #22219) for nuisance abatement services which along with delinquent taxes, interest, and associated collection agency fees valued at approximately \$5,450.00; and

WHEREAS, the city-held delinquencies are tied up in bankruptcy proceedings, making the lots presently unmarketable; and

WHEREAS, the present owner of these parcels desires to convey the property to the Danville Neighborhood Development Corporation (DNDC), the City's designated Land Bank and an unrelated person, as part of the DNDC's neighborhood development plan; and

WHEREAS, given the size and location of these parcels it is likely that future City abatement services will be required absent a sale to a new owner and the transfer of such lots to the DNDC furthers the goals of the City of Danville; and

WHEREAS, under Va. Code § 15.2-906(4) a locality may release such liens and costs against a particular property in order to facilitate its sale or transfer to an unrelated, bona fide purchaser.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Danville, Virginia, that all delinquent taxes, abatement charges, city-held liens, and associated collection agency fees recorded in the Danville Circuit Court Clerk's Office against Parcels

#21914 (120 & 122 Kemper Road) and #22219 (124 & 126 Kemper Road) be released to facilitate its transfer to the DNDC, provided such transfer actually occurs.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney