



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

January 18, 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 - L.G. "Larry" Campbell, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Proclamation: National Mentoring Month

Presented to: Pat Daniel

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. Public Hearing
- B. Consideration of Approval of Minutes from Regular Council meeting held on December 21, 2021.
Council Letter Number CL - 2700.
- C. Consideration of Amending the Fiscal Year 2022 Budget Appropriation Ordinance for State of Good Repair Program Funds in the Amount of \$1,493,298.
Council Letter Number CL - 2668.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance for Roadway Maintenance Projects to be Undertaken within the City and to be Financed Anticipating Revenues from Virginia Department of Transportation (VDOT) State of Good Repair/Primary Extension Funds in the Amount of \$1,493,498.

FINAL ADOPTION

- D. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for Grant Funds from the Department of Housing and Urban Development, from Healthy Homes, and a Local Match for a Total Appropriation of \$1,634,769.
Council Letter Number CL - 2671.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for Grants from the U.S. Department of Housing and Urban Development Office of Lead Hazard Control and Healthy Homes in an Aggregate Amount of \$1,634,769, and a Local Share in the Amount of \$145,231 to be Provided by Unspent CDBG Funds, for a Total Appropriation of \$1,780,000 and Appropriating the Same.

FINAL ADOPTION

NEW BUSINESS

- A. Review of General Fund Financials as of December 31, 2021.
Council Letter Number CL - 2676.
- B. Consideration of Authorizing the Abandonment of an Unused City Utility Easement Across 1100 West Main Street.
Council Letter Number CL - 2682.
1. Public Hearing
 2. A Resolution Approving and Authorizing the Abandonment of an Unused City Utility Easement Across 1100 W. Main Street in Order to Facilitate Development Upon the Same Property.
- C. Consideration of Vacating an Unused City Easement Across Four Properties in Pittsylvania County.
Council Letter Number CL - 2683.
1. Public Hearing
 2. A Resolution Authorizing the Abandonment of an Unused City Utility Easement Across Four Properties in Pittsylvania County Owned by Edward Davis Family Land Use Revocable Trust in Order to Facilitate the Development of Solar Energy Installations Upon the Same Property.
- D. Consideration of Vacation of an Unused Utility Easement in Pittsylvania County.
Council Letter Number CL - 2686.
1. Public Hearing
 2. A Resolution Authorizing the Abandonment of an Unused City Utility Easement Across One (1) Property in Pittsylvania County Owned by Brenda Shelton and Pamela S. Adams in Order to Facilitate the Development of Solar Energy Installations Upon the Same Property.
- E. Consideration of Vacation of One Unused Utility Easement in Pittsylvania County.
Council Letter Number CL - 2687.
1. Public Hearing
 2. A Resolution Authorizing the Abandonment of an Unused City Utility Easement Across One (1) Property in Pittsylvania County Owned by Rocky W. Rakes and Amy B. Rakes in Order to Facilitate the Development of Solar Energy Installations Upon the Same Property.

- F. Consideration of Vacating Two City Owned Easements in Pittsylvania County.
Council Letter Number CL - 2694.
1. Public Hearing
 2. A Resolution Approving and Authorizing the Abandonment of Two (2) Unused City Power Line Easements Across Pittsylvania County Parcel #2347-37-4337 in Order to Facilitate Development Upon the Same Property.
- G. Consideration of the Sale of a Vacant Lot on Fox Hollow Drive.
Council Letter Number CL - 2681.
1. Public Hearing
 2. A Resolution of the City Council of Danville, Virginia Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Approving and Authorizing the Sale of Said Parcel on Fox Hollow Drive, for a Sales Price of \$500.00.
- H. Consideration of Granting a Community Garden License on Parcels #05001 and #05005.
Council Letter Number CL - 2665.
1. Public Hearing
 2. A Resolution Authorizing a License for Community Gardening Near Locust Lane.
- I. Consideration of Accepting Parcels #20600, #20617 and #22262 on Stokes Street.
Council Letter Number CL - 2664.
- A Resolution Approving and Authorizing the Acceptance of Real Property Identified as Parcels 20600, 20617, and 22262 Stokes Street for Streetscaping.
- J. Consideration of the Submission of the Comprehensive Economic Development Strategy Priority Projects.
Council Letter Number CL - 2690.
- A Resolution Approving the Submission of the Comprehensive Economic Development Strategy Priority Projects for Maintaining Danville's Status as a Redevelopment Area Under the Economic Development Administration's Program.

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-2700

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

Consideration of Approval of Minutes from Regular Council meeting held on December 21, 2021.

Council Letter Number CL - 2700.

Attachments

Meeting Minutes

December 21, 2021

The Second Regular December meeting of the Danville City Council was held on December 21, 2021, 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 P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9). *Mr. Whittle entered the meeting at 7:02 p.m.*

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.

INVOCATION

The Invocation was given by Sherman M. Saunders, followed by the Pledge of Allegiance.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized David Decker from the Knights of Columbus who noted their principles were charity, unity and fraternity. Mr. Decker discussed the various charitable works done by the Knights, including their support of the Catholic Church and School, as they were a Catholic men's organization, Cops for Kids, Haven of the Dan, House of Hope, Sherman Saunders' Court, Pregnancy Solutions, SNAP, COVAR, and Coats for Kids. Council thanked them for the work they were doing for the citizens.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding Budget Appropriation Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 14, 2021. No one present desired to be heard and the Public Hearing was closed.

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

Minutes from the Regular Council Meeting held on November 16, 2021. Draft copies of the minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2022 Budget Appropriation for Capital and Special Projects

An Ordinance Entitled, Ordinance No. 2021-12.05, Amending the Fiscal Year 2022 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures.

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

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

OLD BUSINESS

CONSIDERATION OF IMPOSING AN ADDITIONAL GENERAL LOCAL SALES TAX AND A LOCAL USE TAX AT A RATE OF ONE PERCENT

CONSIDERATION OF AMENDING CHAPTER 37 FOR NEW ARTICLE XIII AND NEW §37-185

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

ORDINANCE NO. 2021-12.02

AN ORDINANCE AMENDING AND REORDAINING CERTAIN SECTIONS OF CHAPTER 37, ENTITLED "TAXATION," OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, BY CREATING A NEW ARTICLE XIII, ENTITLED "IMPOSITION OF ADDITIONAL SALES AND LOCAL USE TAX; USE OF REVENUES FOR CONSTRUCTION OR RENOVATION OF SCHOOLS" AND ADDING A NEW SECTION §37-185, ENTITLED "IMPOSITION OF ADDITIONAL SALES TAX; USE OF REVENUES FOR CONSTRUCTION OR RENOVATION OF SCHOOLS".

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 AMENDING CERTAIN SECTIONS OF CHAPTER 37 OF THE DANVILLE CITY CODE BY AMENDING ARTICLE XIII BY ADDING A NEW §37-186 ENTITLED "IMPOSITION OF ADDITIONAL LOCAL USE TAX; USE OF REVENUES FOR CONSTRUCTION OR RENOVATION OF SCHOOLS"

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

ORDINANCE NO. 2021-12.03

AN ORDINANCE AMENDING AND REORDAINING CERTAIN SECTIONS OF CHAPTER 37, ENTITLED "TAXATION," OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, BY AMENDING ARTICLE XIII, ENTITLED "IMPOSITION OF ADDITIONAL SALES AND LOCAL USE TAX; USE OF REVENUES FOR CONSTRUCTION OR RENOVATION OF SCHOOLS" BY ADDING A NEW § 37-186, ENTITLED "IMPOSITION OF ADDITIONAL LOCAL USE TAX; USE OF REVENUES FOR CONSTRUCTION OR RENOVATION OF SCHOOLS".

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

APPOINTMENTS

Vice Mayor Miller **moved** for adoption of the following Resolutions:

Resolution No. 2021-12.07– Reappointing Lawrence Meder to the Building Code Board of Appeals

December 21, 2021

Resolution No. 2021-12.08 – Reappointing Samuel Thomas to the Building Code Board of Appeals.

Resolution No. 2021-12.09 – Appointing Helm Dobbins to the Employee Retirement System.

Resolution No. 2021-12.10 – Reappointing Matthew Bailey to the Fair Housing Board.

Resolution No. 2021-12.11 – Reappointing Manuel Dodson to the Planning Commission.

Resolution No. 2021-12.12 – Reappointing Robert S. Petrick to the Planning Commission.

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

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

NEW BUSINESS

REVIEW OF GENERAL FUND FINANCIALS THROUGH NOVEMBER 30, 2021

Chief Financial Officer Michael Adkins gave a Review of the General Fund Financials through November 30, 2021 which marks the fifth month of the fiscal year and 42% complete. The City wound up its first collection period of Real Estate and Personal Property Taxes, and have had strong collections. Because of timing differences, the City collected more in November than last year as there were a couple more business days in November, after Thanksgiving, for collections. By the end of December, they like to be at least at 50% of budget for current Real Estate taxes; right now, the City was at 52% and still had a few days left in the calendar year. Delinquent Real Estate Tax collections were also very good; they completed a very successful auction of abandoned properties a few weeks ago, and all the properties were purchased. Those numbers were not reflected in these results, but they were still at 48% of budget for delinquent real estate tax collections, at \$515,000. Personal property taxes also showed good collection, just slightly above where the City was last year. Looking at what was collected through December at this point, the City will definitely be at 50% or better at the end of the calendar year. Local Consumer Taxes were also performing very well; Sales Tax was at \$4.4M at the end of November, 44% of budget, and about \$366,000 more than last year at this time. Meals Tax was really performing well at \$4.1M, 48% of budget, and an increase of \$812,000 over last year. Lodging Taxes had smaller numbers, but the difference was great, \$948,000 at the end of November, 63% of budget and \$281,000 more than last year. Consumer driven local taxes were performing well this year. All of the State and Federal Revenues were on target with budget and there were no concerns there. Departmental Expenditures were at 38% of budget, trailing budget which was what staff liked to see through the year. Non-Departmental Expenditures, which were primarily Debt Service and Group Health Premiums, were both right on target at 42% of budget at the end of November. There were no concerns with the General Fund, and things look very positive.

Mr. Adkins noted the City was completing their traditional General Obligation Bond issuance this week; they will close on the 29th of December. The Interest Rate they were able to secure this year for that borrowing was 1.8%. After the first of the year, they will begin focusing on the School Bonds that will be funded by the 1% local sales tax option and will be working closely with the School Board to determine of the cash flow needed.

December 21, 2021

The Annual Audit report has been delayed because of some external reports that were needed to complete; they do not impact the General Fund Financial results, but were related to the Actuary Statement related to the Retirement Plan which were delayed this year. Mr. Adkins noted he anticipated Brown Edwards, the City's external auditor, will be at the City by the end of January to present this to Council. The Actuary Report for the Retirement System shows that the City was well funded at above 100% in the retirement system.

CONSIDERATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING

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

RESOLUTION NO. 2021-12.13

RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

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 AMENDING CHAPTER 1.5 OF THE DANVILLE CITY CODE TO CONFORM TO SENATE BILL 1157

Council Member Buckner **moved** to renew his Motion to approve an Ordinance entitled:

ORDINANCE NO. 2021-12.06

AN ORDINANCE AMENDING AND REORDAINING THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, TO ADD A NEW CHAPTER 1.5, ENTITLED "CITY COUNCIL ELECTIONS AND ORGANIZATIONAL MEETING; SCHOOLBOARD ELECTIONS; ETC."

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

Council Member Saunders noted last year there was talk about plans for the elections to be in November. As a member of Virginia First Cities, representing the City of Danville, he opposed it and the Board did as well. Also, VML, the Virginia Municipal League, opposed it. In terms of it being in November, for a number of reasons the General Assembly made the decision, and the City has no choice but to do what they say, once the Governor signed the bill. Mr. Saunders stated he was also concerned about what this means for local government. Danville City Council elections have about 10,000 votes average; the national November elections have about 30,000 votes. Council does not want to get lost in national elections. While he prefers May, Council had no choice, it was the law, they cannot change it and he will support it.

Council Member Vogler noted they discussed this at length at the last meeting. Last year, in 2020, their election was moved around several times, and he thinks May was better. The point some of them were trying to make at the last meeting was that they felt strongly that this decision should be left to localities, not the General Assembly. It was probably too late for anything to

happen this year; even if the General Assembly overturns it, it wouldn't take effect until after when the May election would be. But in the last couple of weeks, after what Council did what they did, he received texts and phone calls from General Assembly members from around the state thanking them because they brought the conversation back and it will make it easier for it to be revisited during the General Assembly this year. Vice Mayor Miller noted there was not a lot they could do about it right now, but hoped it was brought up again and reverted back to control of the local jurisdictions. In response to Council Member Whittle, City Attorney Clarke Whitfield explained what the General Assembly said was, localities shall vote to adopt an Ordinance to move their elections to November. They didn't just move the elections to November, they said localities shall vote to do that.

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

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

COMMUNICATIONS

City Manager Ken Larking noted he wanted to take this opportunity, on behalf of the employees of the City of Danville, to thank Council for their support of all the employees and what they do every day to try to serve the community. They feel like they were supported, that City Council was behind them when they were serving the public, and the employees appreciate that. Mr. Larking noted he would like to offer his appreciation to his coworkers, from department heads to everyone throughout the organization; he feels blessed to work with some great, competent people who were doing a great job on behalf of the community.

Mr. Larking noted a few months ago, he and the Deputy City Manager talked about how the organization needed to have an Equity Officer. This position was one a lot of local governments were taking on to make sure they were being as proactive as possible, examining policies, procedures and services to ensure that the City was keeping a good eye on diversity, equity and inclusion within all the areas. They felt it appropriate to appoint an existing position, Assistant to the City Manager, Amanda Paez, to the Equity Officer position. As a member of the City Manager's office, she has the ability to independently review all the departments to ensure that they were following best practices in those areas.

Ms. Paez noted she was extremely excited to be there tonight and lead the organization's diversity, equity, and inclusion efforts. Danville's 2020 All-America City designation was based on health equity – how the community recognized the problem, assessed the issues and data, and tackled it in a comprehensive way to improve outcomes. She plans to approach the City's DEI efforts in a similar way. Since this was new territory for the organization, the plan was to start internally and let the program grow. This can involve assessing each city department to determine if services provided or policies impact different groups differently. It can also mean taking a hard look at how they engage employees, recruit new employees, and foster an organizational culture where public servants feel valued while serving the community at the highest level. She looks forward to keeping Council updated as this program develops.

City Attorney Clarke Whitfield thanked Council for their support of his office, they were very thankful to be working for this Council and was also thankful for the collegial relationship he has with the City Manager's office and all the Department Directors; the City does have a really strong team and was

December 21, 2021

proud to be a part of it. Mr. Whitfield wished everyone a very Merry Christmas and the best, blessed New Year they have ever had.

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

Council Member Saunders thanked Dr. Angela Hairston for all she has done for the school system, and wished a Merry Christmas to the Mayor, Council Members, staff and all the citizens.

Council Member Vogler wished a Merry Christmas and Happy New Year to all citizens, City employees and members of Council; he enjoyed working with them and was excited about the upcoming year. Mr. Vogler noted he would like to talk about taking care of senior citizens in Danville, and the real estate tax relief option for seniors. He believed the current income limit was too low for the current economic climate, and should be adjusted. Mr. Vogler hoped that Council looked at this in the upcoming months to help senior and disabled citizens.

Council Member Whittle wished everyone a Merry Christmas.

Council Member Buckner wished everyone a Merry Christmas and thanked the City Manager and all City employees for the wonderful job they do; he looked forward to seeing what 2022 brings for the City.

Council Member Campbell wished everyone a Merry Christmas and a Happy New Year.

Council Member Hood noted it was an honor to be of service to the City, thanked the Council Members and Mayor, and asked citizens to continue to encourage one another and get more involved with the City government. Mr. Hood wished everyone a Merry Christmas and a Happy New Year.

Council Member Mayo wished everyone a Merry Christmas and congratulated Ms. Paez on her new role in the City.

Vice Mayor Miller noted he watched the Weather Channel early one morning and they were highlighting God's Pit Crew and the work they were doing in Kentucky with the victims of the tornado. Dr. Miller noted thanks to Council Member Vogler and other volunteers, the Harry Johnson Basketball Tournament will be in Danville on the 27th through the 29th. Dr. Miller encouraged citizens to get their vaccines, get their booster and wear a mask.

Mayor Jones thanked Council Member Saunders for the Invocation, reminded citizens about the basketball tournament, encouraged them to enjoy their friends and family and wished everyone a Merry Christmas.

ADJOURNED: 7:41 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2668

Consent Agenda C.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Virginia Department of Transportation - State of Good Repair Program Funds

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

First Reading 01/04/2022

Final Adoption 01/18/2022

SUMMARY

The Commonwealth Transportation Board and the Virginia Department of Transportation have approved State of Good Repair Program funds in the amount of \$1,493,498 for the following projects:

- UPC 118113 - South Boston Road WBL from Airport Drive to 0.215 Mile East of Ringgold Road \$970,316
- UPC 118114 - Riverside Drive EBL from 0.060 mile west of Westover Drive to 0.940 mile east of Westover Drive \$523,182

BACKGROUND

In December 2019, the City of Danville submitted Fiscal Year 2021 State of Good Repair program applications to the Virginia Department of Transportation (VDOT) for two eligible projects. VDOT's State of Good Repair program provides localities with a funding source for resurfacing on certain identified deteriorated pavement segments of primary streets.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance, amending the Fiscal Year 2022 Budget Appropriation Ordinance, to appropriate State of Good Repair Program funds from the Virginia Department of Transportation in the amount of \$1,493,498.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ROADWAY MAINTENANCE PROJECTS TO BE UNDERTAKEN WITHIN THE CITY AND TO BE FINANCED ANTICIPATING REVENUES FROM VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) STATE OF GOOD REPAIR / PRIMARY EXTENSION FUNDS IN THE AMOUNT OF \$1,493,498.

WHEREAS, the City of Danville requested VDOT to allocate State of Good Repair / Primary Extension program funds for resurfacing specific segments South Boston Road and Riverside Drive; and

WHEREAS, the City of Danville has received notification from the Commonwealth Transportation Board of total allocations in the amount of \$1,493,498 from the VDOT Fiscal Year 2021 State of Good Repair / Primary Extension program; and

WHEREAS, these funds will be appropriated for use in Fiscal Year 2022.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and is hereby amended by using anticipated revenues from the Virginia Department of Transportation in the amount of \$1,493,498 from State of Good Repair / Primary Extension program funds, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VDOT SGR – South Boston Rd. WBL UPC 118113	61734000-47415	\$970,316
VDOT SGR – Riverside Dr. EBL UPC 118114	61735000-47415	<u>\$523,182</u>
	TOTAL	<u>\$1,493,498</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VDOT SGR – South Boston Rd. WBL UPC 118113	61734999-50	\$970,316
VDOT SGR – Riverside Dr. EBL UPC 118114	61735999-50	<u>\$523,182</u>
	TOTAL	<u>\$1,493,498</u>

AND BE IT FURTHER ORDAINED, that a flexible budget is hereby authorized whereby appropriations may be increased to the extent that actual revenues exceed the original revenue budget amount; 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:

Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2671

Consent Agenda D.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Fiscal Year 2021-22 Community Development Lead Grant

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

First Reading: 01/04/2022

Final Adoption 01/18/2022

SUMMARY

The City of Danville has received a Housing and Urban Development (HUD) Lead Hazard Reduction Grant in the amount of \$1,234,769 and an accompanying Healthy Homes Grant in the amount of \$400,000. The City will match this grant with \$145,231 in unspent HUD CDBG funds.

BACKGROUND

The City applied for a Lead Hazard Reduction Grant from the Department of Housing and Urban Development. This grant is to be used to help address lead hazards in homes constructed prior to the outlaw of lead in interior products in 1978. Since the City of Danville has many homes constructed prior to this date, it qualified to apply.

The funding received will be used to assess up to 100 homes for lead hazards, and remediate an anticipated 83 homes during the grant period. This is anticipated to be the first phase of grants issued by HUD to address lead issues.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance amending the Fiscal Year 2022 Budget Appropriation Ordinance by increasing revenues to anticipate the receipt of the grant funds from the Department of Housing and Urban Development in the amount of \$1,234,769, from Healthy Homes in the amount of \$400,000, and a local match of \$145,231 from unspent HUD CDBG funds.

Attachments

Ordinance

Grant Agreement

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR GRANTS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES IN AN AGGREGATE AMOUNT OF \$1,634,769, AND A LOCAL SHARE IN THE AMOUNT OF \$145,231 TO BE PROVIDED BY UNSPENT CDBG FUNDS, FOR A TOTAL APPROPRIATION OF \$1,780,000 AND APPROPRIATING THE SAME.

WHEREAS, the City of Danville has received notification from the U.S. Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes of the award of a Lead Hazard Reduction grant in the amount of \$1,234,769 and an accompanying Healthy Homes grant in the amount of \$400,000; and

WHEREAS, the local share in the amount of \$145,231 will be provided by unspent CDBG funds; and

WHEREAS, the funds will be used to help assess and remediate lead hazards in homes constructed prior to 1978.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenues from a Lead Hazard Reduction grant in the amount of \$1,234,769, and an accompanying Healthy Homes grant in the amount of \$400,000 each from the U.S. Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes, and the local share for said grants in an amount of \$145,231 to be provided by unspent CDBG funds, for an aggregate amount of \$1,780,000, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Community Development Fund Lead Hazard Grant:		
Fed Grant - HUD	61730000-48057	\$1,234,769
Healthy Homes Grant:		
Federal Aid Grant	61732000-48055	\$ 400,000
	TOTAL	<u>\$1,634,769</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Community Development Fund Lead Hazard Grant	61730999-50	\$1,234,769
Healthy Homes Grant	61732999-50	\$ 400,000
	TOTAL	<u>\$1,634,769</u>

AND BE IT FURTHER ORDAINED, a transfer from unspent CDBG
Entitlement funds and appropriation is hereby authorized to cover the local share as follows:

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY16 CDBG Revenues		
Federal Aid Community Block	61211000-48025	\$145,231
FY16 Upper Street Apartments	61199999-50	<u>\$145,231</u>

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY16 CDBG Lead Grant Match		
Federal Aid Community Block	61733000-48025	\$145,231
FY16 CDBG Lead Grant Match	61733999-50	<u>\$145,231</u>

AND BE IT FURTHER ORDAINED, that a flexible budget is hereby authorized
whereby appropriations may be increased to the extent that actual revenues exceed the
original budget amount; 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:

Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Assistance Award/Amendment

U.S. Department of Housing and
Urban Development
Office of Administration

1. Assistance Instrument ☐ Cooperative Agreement ☒ Grant		2. Type of Action ☒ Award ☐ Amendment	
3. Instrument Number VALHB0770-21	4. Amendment Number	5. Effective Date of this Action See Block #20	6. Control Number
7. Name and Address of Recipient City of Danville 427 Patton St. Suite 211 Danville VA, 21541-1215		8. HUD Administering Office HUD, Office of Lead Hazard Control and Healthy Homes 451 Seventh Street, SW Room 8236 Washington, DC 20410	
		8a. Name of Administrator Robert Houston	8b. Telephone Number 202-402-5056
10. Recipient Project Manager Kenneth Gillie, gillike@danvilleva.gov, 434-799-5260		9. HUD Government Technical Representative Eileen Carroll, Eileen.B.Carroll@hud.gov , 678-732-2949	
11. Assistance Arrangement ☒ Cost Reimbursement ☐ Cost Sharing ☐ Fixed Price	12. Payment Method ☐ Treasury Check Reimbursement ☐ Advance Check ☒ Automated Clearinghouse	13. HUD Payment Office U.S. Dept. of HUD CFO Accounting Center, 6AF 801 Cherry St., Unit #45 Ste. 2500 Fort Worth, TX 76102	
14. Assistance Amount Previous HUD Amount \$ 0.00 HUD Amount this action \$ 1,780,000.00 Total HUD Amount \$ 1,780,000.00 Recipient Amount \$145,231.09 Total Instrument Amount \$ 1,525,231.09		15. HUD Accounting and Appropriation Data 8620/220174 - 20LRH/LRLHR - \$ 1,379,999.54 8620/220174 - 20LRHH/LRHHI - \$ 400,000.00 8621/230174 - 21LRH/LRLHR - \$ 0.46.00 Amount Previously Obligated \$ 0.00 Obligation by this action \$ 1,780,000.00 Total Obligation \$ 1,780,000.00	

16. Description

Employer Identification: 54-6001243

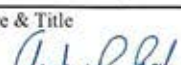
DUNS: 0660082510000

Program: LHB/HHO/LR1

This instrument sets forth the agreement between the parties as to all terms and conditions and provisions herein. By signing this award document, the Grantee certifies that it is in compliance with all administrative and financial provisions of this award. This grant instrument consists of the following, some of which are incorporated by reference:

- Cover Page, HUD 1044
- FY 2021 Terms and Conditions
- Statement of Work/Work Plan/Benchmark Standards
- Grantee's financial and technical proposal
- Mutually agreed and negotiated proposal changes
- Abstract of grant activities
- Lead Hazard Control Program Policy Guidance Issuances "PGI-2015-01- Clarification of Costs for LHRD and LBPHC Grant Programs"
- TITLE 2: GRANTS AND AGREEMENTS - PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS <http://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1>
- Notice of Grant Opportunity announced in GRANTS.GOV FR-6500-N-13 Posted date: 07/12/2021

Period of Performance: 42 months – November 15, 2021 - May 14, 2025

17. ☒ Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18. ☐ Recipient is not required to sign this document.	
19. Recipient (By Name)		20. HUD (By Name) Andrew D. Parker, Grants Officer	
Signature & Title 	Date (mm/dd/yyyy) 11/1/2021	Signature & Title 	Date (mm/dd/yyyy) 08/20/2021

Digitally signed by Andrew D. Parker
DN: cn = Andrew D. Parker email =
Andrew.D.Parker@hud.gov c = AD O =
U.S. Department of Housing and Urban
Development OU = OAC/AS/GO
Date: 2021.08.20 13:36:18 -0400

form HUD-1044 (8/90)

Council Letter

City of Danville, Virginia



CL-2676

New Business A.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: General Fund Financial Report

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

A brief summary of the General Fund financial results through December 31, 2021, will be given. Financial statements are included.

Attachments

Financial Statements



To: Ken F. Larking, City Manager

From: Michael L. Adkins, Chief Financial Officer

Date: January 7, 2022

Subject: Summary of Preliminary General Fund Financial Results for December 31, 2021

After completing the first half of the fiscal year 2022, revenues are performing well and are exceeding the previous year. As of December 31, General Fund revenues were \$54,700,609. This represents 47% of our FY 2022 budget and an increase of \$3.77 million over the prior year. Last year, at this time, we had collected \$50,933,031 or 50% of budget.

With tax bills for FY 2022 mailed in early November, we saw steady collection activity in the General Property Tax category during the months of November and December with 52.5% of the budgeted real estate tax realized at the end of December. We continue to see steady performance in the collection of delinquent real estate taxes this year with \$595,020 realized in the first six months of this fiscal year. This accounts for 56.1% of the current year budget. Personal property tax collections are tracking with budget as well with 49% collected as of December 31.

Local consumer taxes collected through December 31 were \$13,052,349 or 44.9% of budget. This exceeds FY 2021 collections by \$1,720,462. Sales tax collections through December amounted to \$5,289,645 or 52.3% of budget, an increase of \$408,006 from last year. Meals taxes collected for the first half of the fiscal year amounted to \$4,919,090 or 58.1% of budget, an increase of \$857,619 from last year. Business Licenses realized at the end of December were \$674,828 an increase of \$48,138 from the prior year. Lodging taxes received as of December 31, were \$1,096,618 or 72.6% of budget, an increase of \$318,387 from the prior year. Local consumer taxes have rebounded beyond pre-pandemic levels. A decrease of \$185,181 is seen in Non-Categorical Aid due to a timing difference in the receipt of funding for the Welcome Center and a reduction in Telecommunications tax revenue. Nearly all other revenue categories are at or near the prior year and are tracking well with budget at this point.

Expenditures at December 31 were \$68,332,044 or 55% of budget. This is an increase of \$7.9 million when compared to December 31, 2020. 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 funds much more rapidly this year than last with the resumption of in-person instruction but will not exceed budgeted amounts. In addition, State funding for Schools has not yet been received, which has caused an increased use of local funds at present. Departmental expenditures at the end of December show an increase of \$1,647,427 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 \$13,61,435 at December 31. Although this current imbalance is more than usual because of School funding, 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. At this point, the General Fund is performing as expected.

CITY OF DANVILLE, VIRGINIA
GENERAL FUND REPORT
50% OF YEAR LAPSED AS OF DECEMBER 31, 2021
****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	\$ 17,551,093	49.84%		\$ 17,660,907	\$ 16,560,011
Other Local Taxes	29,064,030	13,052,349	44.91%		16,011,681	11,331,887
License Permits & Privilege Fees	1,196,690	304,400	25.44%		892,290	122,395
Fines & Forfeitures	338,050	106,936	31.63%		231,114	119,848
Revenue From Use Money & Property	865,730	708,550	81.84%		157,180	494,491
Charges For Services	3,295,520	1,362,501	41.34%		1,933,019	1,491,635
Miscellaneous Revenue	306,170	143,910	47.00%		162,260	163,627
Recovered Cost	8,128,990	3,752,362	46.16%		4,376,628	3,845,388
Non-Categorical Aid	5,726,620	2,686,062	46.90%		3,040,558	2,871,243
Shared Expenses (Categ. Aid State)	5,260,160	2,701,571	51.36%		2,558,589	2,498,084
Categorical Aid (State)	9,587,440	3,709,381	38.69%		5,878,059	3,747,169
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	8,614,863	52.63%		7,754,500	7,676,500
TOTAL REVENUES	\$ 115,377,783	\$ 54,700,609	47.41%		\$ 60,677,174	\$ 50,933,031
EXPENDITURES:						
General Government Administration	\$ 12,162,327	\$ 6,629,343	54.51%	\$ 256,212	\$ 5,276,772	\$ 5,919,465
Judicial Administration	7,546,002	3,760,857	49.84%	9,795	3,775,351	3,617,803
Public Safety	32,962,488	15,255,961	46.28%	282,315	17,424,212	14,309,053
Public Works	4,641,926	2,067,021	44.53%	159,266	2,415,640	2,059,156
Health, Education, Welfare & Soc. Svc.	9,358,540	3,290,945	35.17%	87,387	5,980,207	3,170,675
Parks, Recreation & Cultural	5,484,032	2,374,264	43.29%	104,070	3,005,699	2,134,684
Community Development	2,050,985	714,540	34.84%	332,770	1,003,675	1,234,668
Non-Departmental	12,718,960	6,472,430	50.89%	-	6,246,530	6,541,531
Transfer to Schools - Operating	33,606,300	26,096,849	77.65%	7,509,452	-	15,234,369
Transfer to Capital Projects	2,013,230	706,483	35.09%	-	1,306,747	3,655,040
Transfer to Other Funds	1,614,940	963,351	59.65%	-	651,589	2,545,628
TOTAL EXPENDITURES	\$ 124,159,732	\$ 68,332,044	55.04%	\$ 8,741,266	\$ 47,086,421	\$ 60,422,072
Revenue over(under) Expenditures		<u>\$ (13,631,435)</u>				<u>\$ (9,489,041)</u>
FUND BALANCE:						
Beginning Fund Balance 07/01/2021		\$ 47,090,495				\$ 43,310,847
Revenue over(under) Expenditures		(13,631,435)				(9,489,041)
Ending Fund Balance 12/31/2021		<u>\$ 33,459,060</u>				<u>\$ 33,821,807</u>
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 13,622,235				\$ 10,268,783
Unassigned		<u>19,836,826</u>				<u>23,553,024</u>
TOTAL FUND BALANCE 12/31/2021		<u>\$ 33,459,060</u>				<u>\$ 33,821,807</u>

City of Danville, Virginia
Summary of Other Local Tax Revenues - PRE-CLOSING - UNAUDITED
For the period ending December 31, 2021

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 10,115,880	\$ 5,289,645	52.29%	\$ 9,150,000	\$ 4,881,638	53.35%
Business Licenses	5,450,000	674,828	12.38%	5,250,000	626,690	11.94%
Meals Tax	8,471,320	4,919,090	58.07%	8,645,000	4,061,471	46.98%
Utility Taxes	940,000	454,382	48.34%	967,000	375,606	38.84%
Vehicle License Fees	1,000,000	226,703	22.67%	990,000	217,646	21.98%
Bank Stock Tax	940,000	-	0.00%	900,000	-	0.00%
Recordation Tax	200,000	183,107	91.55%	180,000	200,329	111.29%
Hotel Motel Tax	1,511,630	1,096,618	72.55%	1,600,000	778,231	48.64%
Daily Property Rental Tax	13,200	8,001	60.61%	15,000	5,737	38.25%
Motor Vehicle Tax	162,000	104,661	64.61%	175,000	99,060	56.61%
DMV Fees	260,000	95,314	36.66%	245,000	85,478	34.89%
TOTAL	\$ 29,064,030	\$ 13,052,349	44.91%	\$ 28,117,000	\$ 11,331,887	40.30%

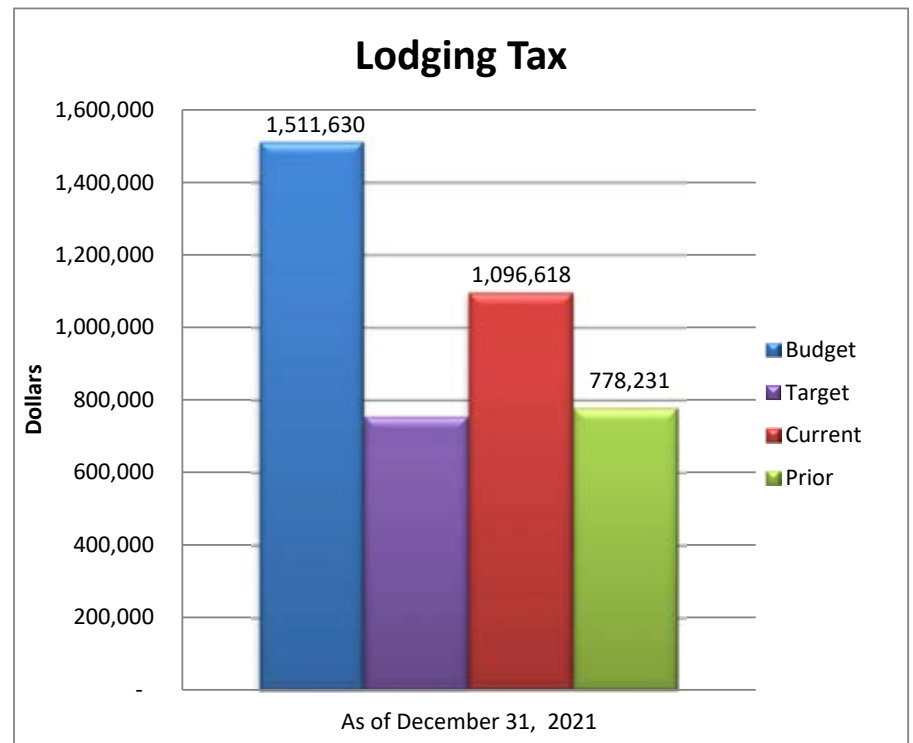
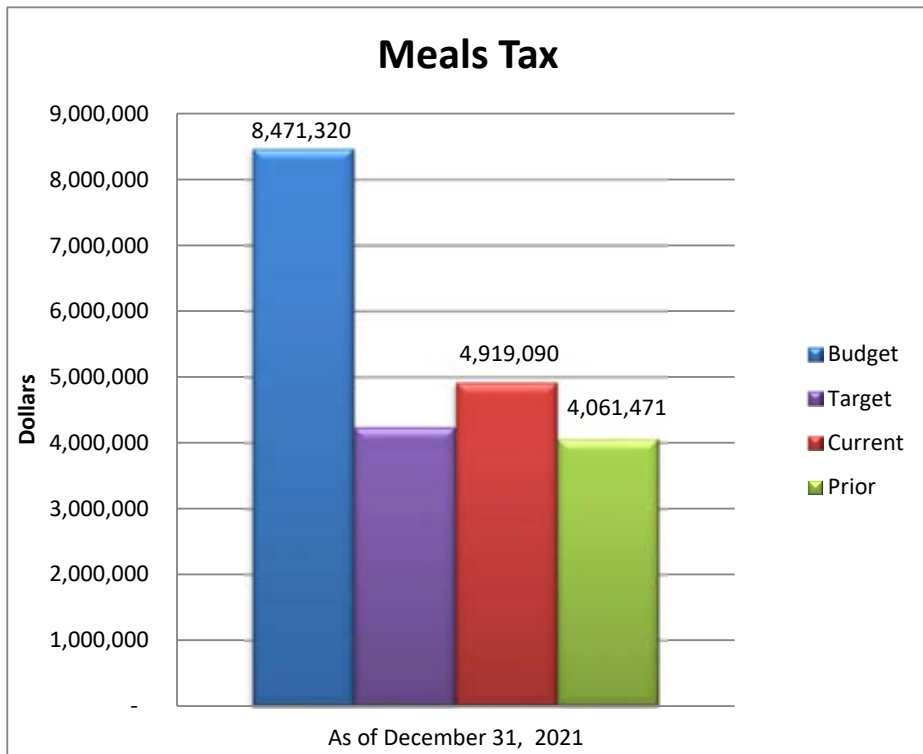
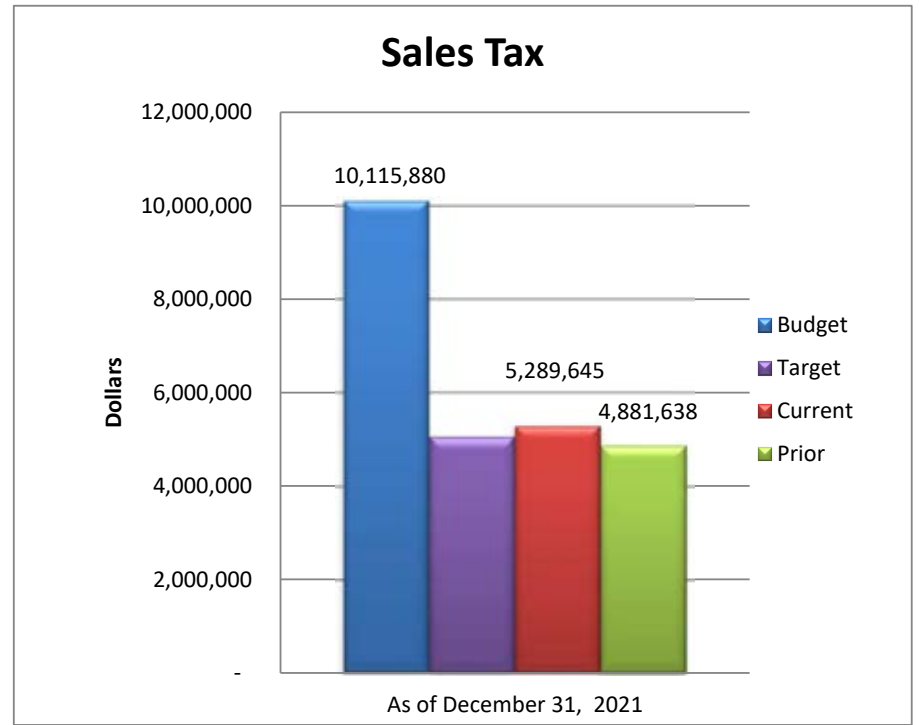
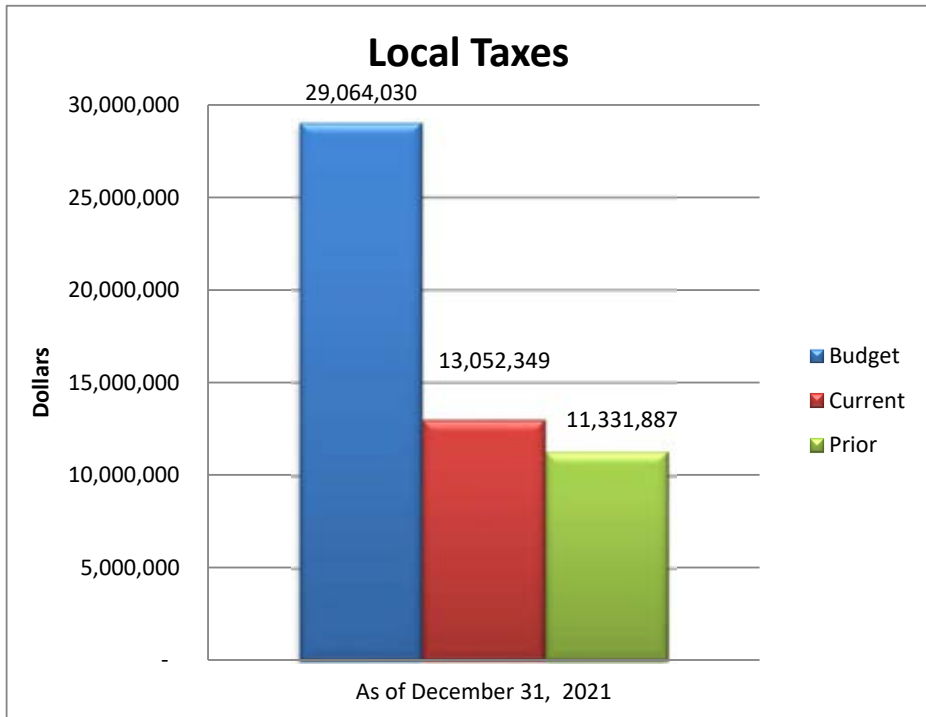
**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF DECEMBER 31, 2021**

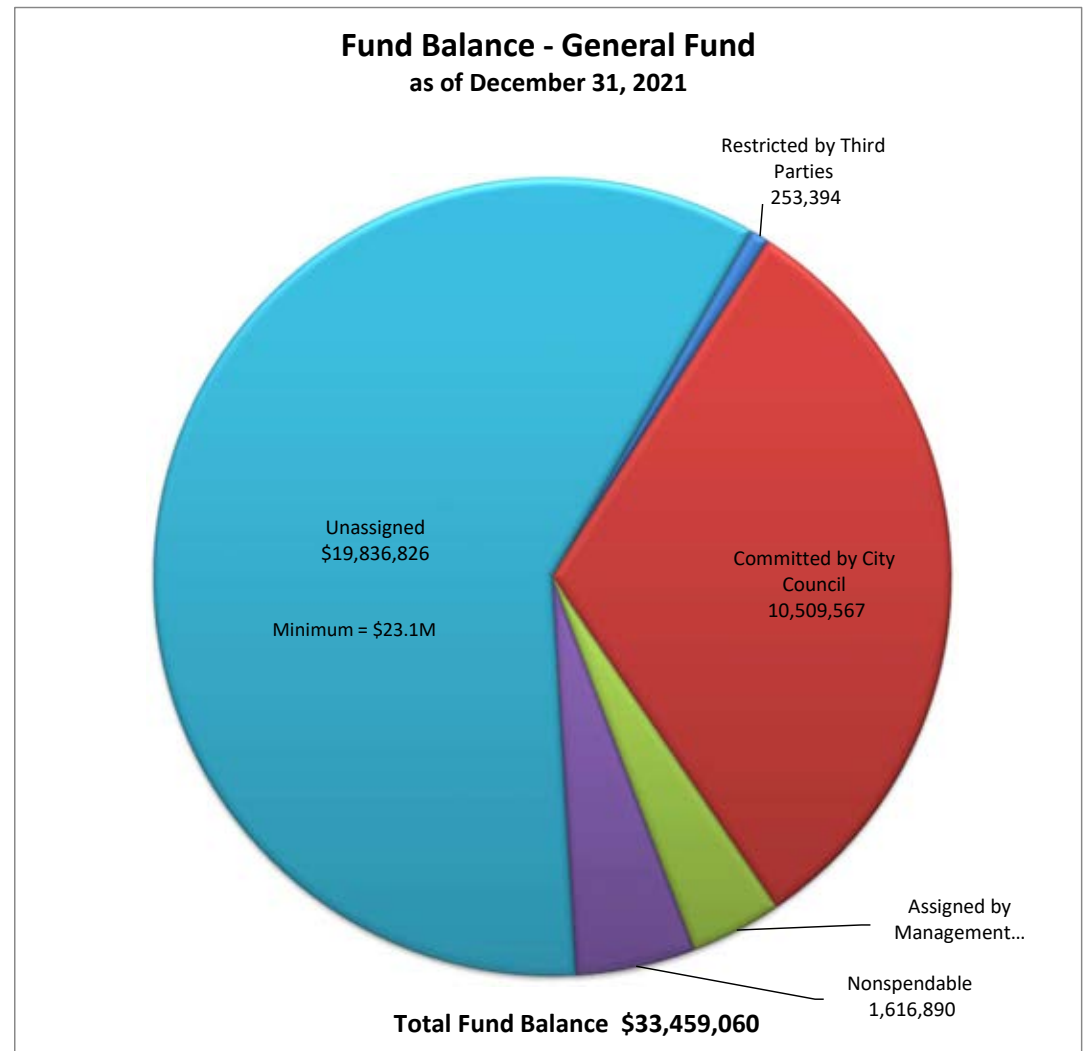
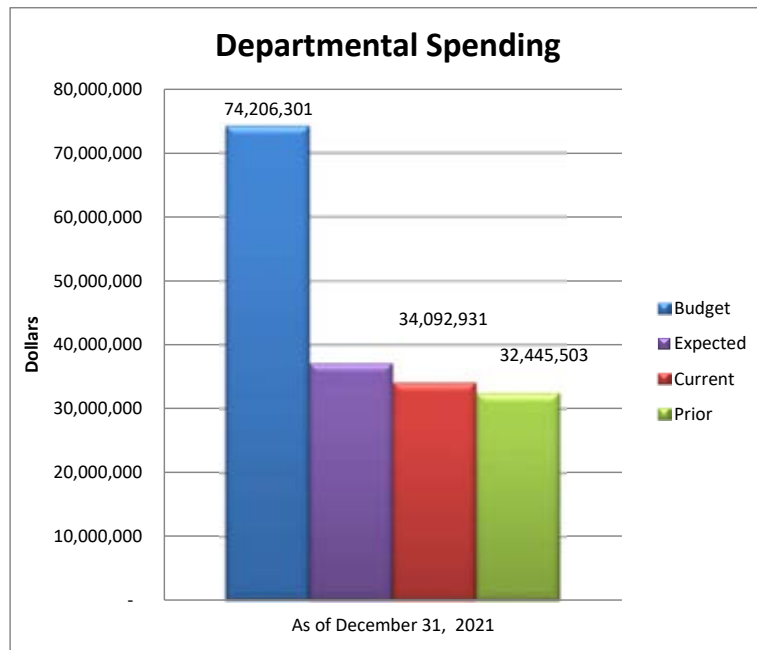
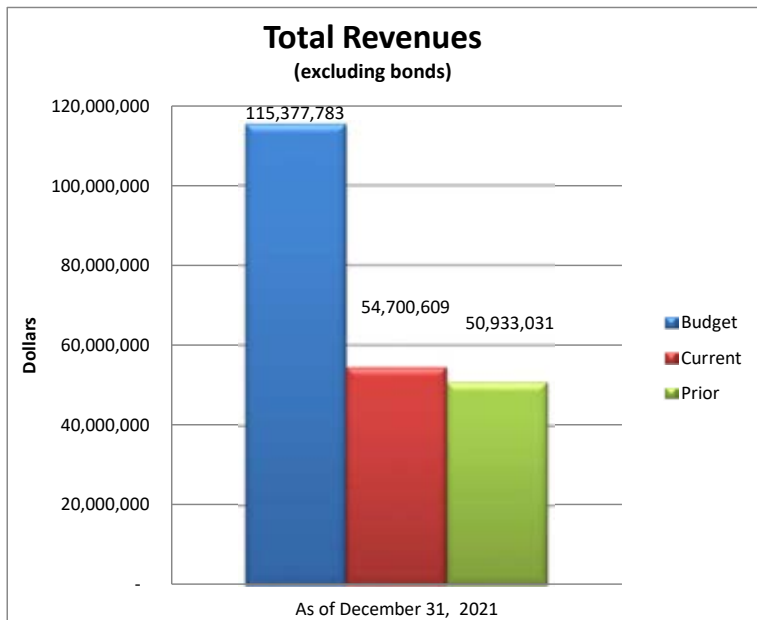
Beginning Total Fund Balance, July 1, 2021	47,090,495.25
Add: General Fund Revenues	54,700,609.28
Deduct: General Fund Expenditures	<u>(68,332,044.22)</u>
Ending Total Fund Balance, December 31, 2021	<u><u>33,459,060.31</u></u>

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	7,509,451.79
Committed to Budget Stabilization	3,000,000.00
Assigned to Community Development	10,568.12
Assigned for Encumbrances	1,231,814.55
Nonspendable (Inventory and Prepaids)	1,616,890.48
UNASSIGNED	<u>19,836,825.71</u>
Total Fund Balance, December 31, 2021	<u><u>33,459,060.31</u></u>

Unassigned fund balance from above	19,836,825.71
Unassigned Minimum per policy (20% of General Fund Operating Revenues) based on FY 2021 budget	<u>23,075,556.59</u>
Current surplus (deficit) over (under) minimum	(3,238,730.88)





Council Letter

City of Danville, Virginia



CL-2682

New Business B.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Release of Unused Utility Easement located on 1100 W. Main Street

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to release an unused utility easement affecting the property at 1100 W. Main Street, to help facilitate a planned casino resort on the Property.

BACKGROUND

The City holds an easement to locate underground water main facilities upon a property in the City of Danville identified as Parcel #51530, 1100 W. Main Street where a casino is planned. The easement was initially reserved by Danville Utilities prior to the sale of the Parcel by the Industrial Development Authority to Caesars Virginia for the purpose of constructing underground water main facilities that were believed to be needed as part of a project to renovate an adjacent reservoir into a raw water storage facility. After further planning, Danville Utilities has found a more suitable area to locate underground water main facilities outside the boundary of the Parcel. City Staff has determined that the City has no current or future need for the easement, and it appears to be surplus to the needs of the City. City Staff wishes to vacate the easements to assist with the anticipated development upon the affected Parcel.

RECOMMENDATION

City staff recommends proceeding with vacating the surplus easements to enable the development of the Property.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION APPROVING AND AUTHORIZING THE ABANDONMENT OF AN UNUSED CITY UTILITY EASEMENT ACROSS 1100 W. MAIN STREET IN ORDER TO FACILITATE DEVELOPMENT UPON THE SAME PROPERTY.

WHEREAS, the City of Danville holds an unused water main easement upon a Parcel of real property located in the City of Danville identified as 1100 W. Main Street, Parcel #51530 (the "Property"); and

WHEREAS, the City has no future plans to install, maintain, or utilize the existing easement on the Property; and

WHEREAS, the owners of the Property wish for the City to vacate and abandon its unused utility easement upon the Property to help the owners obtain marketable title and facilitate the development of the Property as a casino resort.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the unused utility easement across the above-referenced Parcel, said easement identified in the attached Schedule "A"; and

BE IT FINALLY RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the unused utility easement.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Schedule "A"

A permanent 20 foot easement and right-of-way for underground water main facilities, consisting of the perpetual right to install, construct, erect, maintain, repair, rebuild, replace, operate, and patrol such lines and facilities as well as the right to reconstruct, improve, add to, enlarge, change the type and size, and remove such facilities, located in the City of Danville, Virginia upon the Property presently designated as 1100 W. Main Street, Parcel ID #51530 and presently owned by Caesars Virginia, LLC, said easement recorded in the Clerk's Office of the Circuit Court of the City of Danville, Virginia by deed dated April 28, 2020 as Instrument #20-1638.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above-reference recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

Tax PIN #51530

*This deed is exempt from
Grantor's tax pursuant to Va.
Code § 58.1-810, and from
Grantee's tax pursuant to Va.
Code § 58.1-810.*

THIS **DEED OF VACATION** made this the ____ day of _____, 202__,
by and between the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the
Commonwealth of Virginia, GRANTOR, and CAESARS VIRGINIA, LLC, a Virginia
limited liability company, GRANTEE,**

W I T N E S S E T H:

WHEREAS, Grantor holds a certain utility easement across a certain parcel of real
property located in the City of Danville, Virginia, identified as 1100 W. Main Street, Parcel
#51530 (the "Property"), conveyed on April 28, 2020 and recorded in the Clerk's Office of the
Circuit Court of the City of Danville, Virginia as Instrument #20-1638 (the "Easement"); and

WHEREAS, Grantor no longer has any intended need for the Easement and desires to
vacate the Easement in order to assist in the productive development of the Property; and

WHEREAS, Grantee is the owner of the Property and is desiring that the City vacate
the Easement in order to facilitate development on the Property.

NOW THEREFORE, in consideration of the mutual promises contained herein and
other good and valuable consideration, the receipt and sufficiency of which is hereby
acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the
Easement.

Any other easements, rights of way, or restrictive covenants now of record or affecting
said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville,
Virginia by Ordinance No. _____, adopted on _____,
pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY: _____
KENNETH F. LARKING
City Manager

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

APPROVED AS TO FORM:

BY: _____
W. CLARKE WHITFIELD, JR.
City Attorney
VSF Number: 36465

Council Letter

City of Danville, Virginia



CL-2683

New Business C.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Release of an Unused Easement over Four (4) parcels of property in Pittsylvania County

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to release an unused utility easement affecting four (4) Properties in Pittsylvania County and presently owned by the Edward Davis Family Land Use Revocable Trust, to help facilitate planned solar energy installations on the Properties.

BACKGROUND

The City holds an unused utility easement that currently affects four (4) Properties in Pittsylvania County, identified as Parcel ID #s 2465-37-2898, 2465-38-8102, 2465-48-3489, and 2465-47-5944 and presently owned by the Edward Davis Family Land Use Revocable Trust. City Staff have determined that the City has no current or future need for the easement, and they appear to be surplus to the needs of the City. City Staff wishes to vacate the easement to assist with the anticipated development of solar energy facilities upon the affected Properties.

RECOMMENDATION

City staff recommends proceeding with vacating the unused Utility Easement on the Pittsylvania County properties identified as Parcel ID #s 2465-37-2898, 2465-38-8102, 2465-48-3489, and 2465-47-5944, to enable the development of the Properties.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION AUTHORIZING THE ABANDONMENT OF AN UNUSED CITY UTILITY EASEMENT ACROSS 4 PROPERTIES IN PITTSYLVANIA COUNTY OWNED BY EDWARD DAVIS FAMILY LAND USE REVOCABLE TRUST IN ORDER TO FACILITATE THE DEVELOPMENT OF SOLAR ENERGY INSTALLATIONS UPON THE SAME PROPERTY.

WHEREAS, the City of Danville holds an unused utility easement upon four (4) parcels of real property located in Pittsylvania County identified as Parcel Nos. 2465-37-2898, 2465-38-8102, 2465-48-3489, 2465-47-5944, (the "Properties"); and

WHEREAS, the City has no future plans to install, maintain, or utilize the existing easements on the Properties; and

WHEREAS, the owners of the Properties wish for the City to vacate and abandon its unused easement upon the Properties to help the owners obtain marketable title and facilitate the sale of the Property for the development of solar energy installations.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the easement across the above-referenced Pittsylvania County Parcels, said easement identified in the attached Schedule "A"; and

BE IT FURTHER RESOLVED, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the easement.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Schedule "A"

Easement

A permanent easement of unspecified size, located in Pittsylvania County, Virginia upon the Properties presently designated as Parcel ID #s 2465-37-2898, 2465-38-8102, 2465-48-3489, and 2465-47-5944 and presently owned by the Edward Davis Family Land Use Revocable Trust, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated September 4, 1953 in Deed Book 348, at page 494.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above reference recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

THIS **DEED OF VACATION** made this the ____ day of _____,
202__, by and between the **CITY OF DANVILLE, VIRGINIA, a municipal
corporation of the Commonwealth of Virginia, GRANTOR,** and the **EDWARD
DAVIS FAMILY LAND USE REVOCABLE TRUST, GRANTEE,**

W I T N E S S E T H:

WHEREAS, Grantor holds a certain easement across several pieces of real property located in Pittsylvania County, Virginia, identified as Parcel Nos. 2465-37-2898, 2465-38-8102, 2465-48-3489, and 2465-47-5944 (the "Property"), conveyed on September 4, 1953 and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book 348, at page 494 (the "Easement"); and

WHEREAS, Grantor no longer has any intended need for the Easement and desires to vacate the Easement in order to assist in the productive development of the Property; and

WHEREAS, Grantee is the owner of the Property and is desiring that the City vacate the Easement in order to facilitate the development of solar energy installations on the Property.

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the Easement.

Any other easements, rights of way, or restrictive covenants now of record or affecting said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville, Virginia by Ordinance No. _____, adopted on _____, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY:

**KENNETH F. LARKING
City Manager**

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the _____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY:

NOTARY PUBLIC

My commission expires:

Notary registration number:

APPROVED AS TO FORM:

BY:

**C. RYAN DODSON
Assistant City Attorney
VSB Number: 90680**

Council Letter

City of Danville, Virginia



CL-2686

New Business D.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Release of Unused Utility Easement on Property in Pittsylvania County - Parcel ID#2465-28-4568

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to release an unused Utility Easement affecting Property in Pittsylvania County identified as Parcel ID# 2465-28-4568, presently owned by Brenda Shelton and Pamela S. Adams, to help facilitate planned solar energy installations on the Property.

BACKGROUND

The City holds an unused Utility Easement that currently affects one (1) property in Pittsylvania County, identified as Parcel ID # 2465-28-4568, presently owned by Brenda Shelton and Pamela S. Adams. City Staff has determined that the City has no current or future need for the easement, and it appears to be surplus to the needs of the City. City Staff wishes to vacate the easement to assist with the anticipated development of a solar energy facility upon the affected Property.

RECOMMENDATION

City staff recommends proceeding with vacating the one (1) unused Utility Easement on Pittsylvania County property identified as Parcel # 2465-28-4568 to enable the development of the Property.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION AUTHORIZING THE ABANDONMENT OF AN UNUSED CITY UTILITY EASEMENT ACROSS ONE (1) PROPERTY IN PITTSYLVANIA COUNTY OWNED BY BRENDA SHELTON AND PAMELA S. ADAMS IN ORDER TO FACILITATE THE DEVELOPMENT OF SOLAR ENERGY INSTALLATIONS UPON THE SAME PROPERTY.

WHEREAS, the City of Danville holds an unused utility easement upon one (1) parcel of real property located in Pittsylvania County identified as Parcel ID # 2465-28-4568, (the "Property"); and

WHEREAS, the City has no future plans to install, maintain, or utilize the existing easement on the Property; and

WHEREAS, the owners of the Property wish for the City to vacate and abandon its unused easement upon the Property to help the owners obtain marketable title and facilitate the sale of the Property for the development of solar energy installations.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the easement across the above-referenced Pittsylvania County Parcel, said easement identified in the attached Schedule "A"; and

BE IT FURTHER RESOLVED, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the easement.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Schedule "A"

Easement

A permanent easement of unspecified size, located in Pittsylvania County, Virginia upon the Property presently designated as Parcel ID # 2465-28-4568 and presently owned by Brenda Shelton and Pamela S. Adams, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated April 5, 1949 in Deed Book 301, at page 221.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above reference recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

THIS **DEED OF VACATION** made this the ____ day of _____,
202__, by and between the **CITY OF DANVILLE, VIRGINIA a municipal corporation
of the Commonwealth of Virginia, GRANTOR,** and **BRENDA SHELTON and
PAMELA S. ADAMS, GRANTEES,**

W I T N E S S E T H:

WHEREAS, Grantor holds a certain easement across a piece of real property
located in Pittsylvania County, Virginia, identified as Parcel No. 2465-28-4568, (the
“Property”), conveyed on April 5, 1949 and recorded in the Clerk’s Office of the Circuit
Court of Pittsylvania County, Virginia in Deed Book 301, at page 221 (the “Easement”);
and

WHEREAS, Grantor no longer has any intended need for the Easement and desires
to vacate the Easement in order to assist in the productive development of the Property;
and

WHEREAS, Grantee is the owner of the Property and is desiring that the City
vacate the Easement in order to facilitate the development of solar energy installations on
the Property.

NOW THEREFORE, in consideration of the mutual promises contained herein and
other good and valuable consideration, the receipt and sufficiency of which is hereby
acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the
Easement.

Any other easements, rights of way, or restrictive covenants now of record or affecting said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville, Virginia by Ordinance No. _____, adopted on _____, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY:

**KENNETH F. LARKING
City Manager**

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY:

NOTARY PUBLIC

My commission expires:

Notary registration number:

APPROVED AS TO FORM:

BY:

**C. Ryan Dodson
Assistant City Attorney
VSB Number: 90680**

Council Letter

City of Danville, Virginia



CL-2687

New Business E.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Release of an Unused Utility Easement in Pittsylvania County Identified as Parcel ID #1366-97-0467

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to release an unused Utility Easement affecting property in Pittsylvania County, identified as Parcel ID# 1366-97-0467, presently owned by Rocky W. Rakes and Amy B. Rakes, to help facilitate planned solar energy installations on the Property.

BACKGROUND

The City holds an unused Utility Easement that currently affects one (1) property in Pittsylvania County, identified as Parcel ID #1366-97-0467, presently owned by Rocky W. Rakes and Amy B. Rakes. City Staff has determined that the City has no current or future need for the easement, and it appears to be surplus to the needs of the City. City Staff wishes to vacate the easement to assist with the anticipated development of a solar energy facility upon the affected Property.

RECOMMENDATION

City staff recommends proceeding with vacating the one (1) unused Utility Easement located in Pittsylvania County, identified as Parcel ID #1366-97-0467 to enable the development of the Property.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION AUTHORIZING THE ABANDONMENT OF AN UNUSED CITY UTILITY EASEMENT ACROSS ONE (1) PROPERTY IN PITTSYLVANIA COUNTY OWNED BY ROCKY W. RAKES AND AMY B. RAKES IN ORDER TO FACILITATE THE DEVELOPMENT OF SOLAR ENERGY INSTALLATIONS UPON THE SAME PROPERTY.

WHEREAS, the City of Danville holds an unused utility easement upon one (1) parcel of real property located in Pittsylvania County identified as Parcel ID # 1366-97-0467, (the "Property"); and

WHEREAS, the City has no future plans to install, maintain, or utilize the existing easement on the Property; and

WHEREAS, the owners of the Property wish for the City to vacate and abandon its unused easement upon the Property to help the owners obtain marketable title and facilitate the sale of the Property for the development of solar energy installations.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the easement across the above-referenced Pittsylvania County Parcel, said easement identified in the attached Schedule "A"; and

BE IT FURTHER RESOLVED, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the easement.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Schedule "A"

Easement

A permanent easement of 30 feet, located in Pittsylvania County, Virginia upon the Property presently designated as Parcel ID #1366-97-0467, and presently owned by Rocky W. Rakes and Amy B. Rakes, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated July 17, 1997 in Deed Book 1084, at page 261 as Instrument No. 97-5804.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above reference recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

Tax PIN # 1366-97-0467

*This deed is exempt from
Grantor's tax pursuant to Va.
Code § 58.1-810, and from
Grantee's tax pursuant to Va.
Code § 58.1-810.*

THIS **DEED OF VACATION** made this the ____ day of _____, 202__,
by and between the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the
Commonwealth of Virginia, GRANTOR, and ROCKY W. RAKES and AMY B. RAKES,
GRANTEES,**

W I T N E S S E T H:

WHEREAS, Grantor holds a certain easement across a parcel of real property located
in Pittsylvania County, Virginia, identified as Parcel No. 1366-97-0467 (the "Property"),
conveyed on July 17, 1997 and recorded in the Clerk's Office of the Circuit Court of
Pittsylvania County, Virginia in Deed Book 1084, at page 261 as Instrument No. 97-5804 (the
"Easement"); and

WHEREAS, Grantor no longer has any intended need for the Easement and desires to
vacate the Easement in order to assist in the productive development of the Property; and

WHEREAS, Grantee is the owner of the Property and is desiring that the City vacate
the Easement in order to facilitate the development of solar energy installations on the Property.

NOW THEREFORE, in consideration of the mutual promises contained herein and
other good and valuable consideration, the receipt and sufficiency of which is hereby
acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the
Easement.

Any other easements, rights of way, or restrictive covenants now of record or affecting
said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville,
Virginia by Ordinance No. _____, adopted on _____,
pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY: _____
KENNETH F. LARKING
City Manager

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

APPROVED AS TO FORM:

BY: _____
C. RYAN DODSON
Assistant City Attorney
VSF Number: 90680

Council Letter

City of Danville, Virginia



CL-2694

New Business F.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Release of a Pair of Unused Utility Easements in Pittsylvania County on Property owned by RIFA

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to release a pair of unused utility easements affecting a Property in Pittsylvania County owned by Danville-Pittsylvania Regional Industrial Facility Authority (RIFA) to help facilitate development on the Property.

BACKGROUND

The City holds two (2) unused utility easements for overhead power lines that currently affect a Property in Pittsylvania County, identified as Parcel No. 2347-37-4337. City Staff has determined that the City has no current or future need for the easements, and they appear to be surplus to the needs of the City. City Staff wishes to vacate the easements to assist RIFA with the anticipated development upon the affected Property.

RECOMMENDATION

City staff recommends proceeding with vacating the two (2) easements to enable the development of the Property.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION APPROVING AND AUTHORIZING THE ABANDONMENT OF TWO (2) UNUSED CITY POWERLINE EASEMENTS ACROSS PITTSYLVANIA COUNTY PARCEL #2347-37-4337 IN ORDER TO FACILITATE DEVELOPMENT UPON THE SAME PROPERTY.

WHEREAS, the City of Danville holds two (2) unused powerline easements upon a Parcel of real property located in Pittsylvania County, Virginia identified as Parcel #2347-37-4337 (the "Property") owned by the Danville-Pittsylvania Regional Industrial Facility Authority ("RIFA"); and

WHEREAS, the City has no future plans to install, maintain, or utilize the existing easements on the Property; and

WHEREAS, the owner of the Property, RIFA, wishes for the City to vacate and abandon its unused easements upon the Property to help the with the development property.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the easements across the above-referenced Parcel, said easements identified in the attached Schedule "A"; and

BE IT FURTHER RESOLVED, that the City Manager, Kenneth F. Larking, be, and he is hereby authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the easements.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

Schedule "A"

Easement No. 1

A permanent easement and right-of-way for overhead powerlines, consisting of the perpetual right to install, erect, operate, and maintain electric transmission lines and facilities upon, over, and underneath including poles, trenches, conduit, cables, anchors, and fixtures, as well as the right to trim or cut any tree so as to keep any line, wires, and underground cables and conduit including a 45 foot guying easement, located in Pittsylvania County, Virginia upon the Property presently designated as Pittsylvania County, Virginia Parcel #2347-37-4337 and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated July 27, 1995 in Deed Book 1020, at page 705.

Easement No. 2

A permanent 10 foot easement and right-of-way for overhead electric powerlines, located in Pittsylvania County, Virginia upon the Property presently designated as Pittsylvania County, Virginia Parcel #2347-37-4337 and presently owned by Danville-Pittsylvania Regional Industrial Facility Authority, said easement dedicated by Plat and identified as a dashed line labeled "OHE" on Plat of Survey by Dewberry & Davis, Inc., File V25888, dated October 7, 2002, revised January 27, 2003, recorded in the aforesaid Clerk's Office in Map Book 43, at page 333N.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above-reference recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

THIS **DEED OF VACATION** made this the ____ day of _____, 202__, by and between the **CITY OF DANVILLE, VIRGINIA a municipal corporation of the Commonwealth of Virginia, GRANTOR,** and the **DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY, a political subdivision of the Commonwealth of Virginia , GRANTEE,**

W I T N E S S E T H:

WHEREAS, Grantor holds a pair of easements across a piece of real property located in Pittsylvania County, Virginia, identified as Parcel No. 2347-37-4337, (the "Property"), the first conveyed on July 27, 1995 and the second conveyed on October 7, 2002 and revised on January 27, 2003, respectively and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book 1020, at page 705 and Map Book 43, at page 333N respectively (the "Easements"); and

WHEREAS, Grantor no longer has any intended need for the Easements and desires to vacate the Easements in order to assist in the productive development of the Property.

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the Easements, described in greater detail in the attached Schedule "A".

Any other easements, rights of way, or restrictive covenants now of record or affecting said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville, Virginia by Ordinance No. _____, adopted on _____, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY:

**KENNETH F. LARKING
City Manager**

COMMONWEALTH OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY:

NOTARY PUBLIC

My commission expires:

Notary registration number:

APPROVED AS TO FORM:

BY:

**C. RYAN DODSON
Assistant City Attorney
VSB # 90680**

Council Letter

City of Danville, Virginia



CL-2681

New Business G.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Sale of Surplus Property on Fox Hollow Drive - Map No. 9818-003-000015.000

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

City Staff is seeking approval to sell a surplus vacant parcel located at the former 121 Fox Hollow Drive to the neighboring property owners.

BACKGROUND

The City owns a vacant lot along Fox Hollow Drive (formerly 121 Fox Hollow Drive) that was previously used as a pump station for Danville Utilities; the pump station has been decommissioned and demolished. City Staff has determined that the City has no current or future intended use for the lot, and it appears to be surplus to the needs of the City. City Staff wishes to sell the surplus lot to the neighboring property owners to return it to the tax rolls and eliminate future maintenance costs.

RECOMMENDATION

City staff recommends proceeding with selling said Parcel with Tax Map No. 9818-003-000015.000 on Fox Hollow Drive in exchange for \$500.00 and the cost of recordation.

Attachments

Resolution

Attachment 1 Map

Attachment 2 Deed of Sale

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-_____._____

A RESOLUTION OF THE CITY COUNCIL OF DANVILLE, VIRGINIA
DECLARING CERTAIN CITY-OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF
THE CITY AND APPROVING AND AUTHORIZING THE SALE OF SAID PARCEL ON FOX
HOLLOW DRIVE, FOR A SALES PRICE OF \$500.00.

WHEREAS, The City of Danville owns a Parcel of land along Fox Hollow Drive
with Tax Map No. 9818-003-000015.000 that previously served as a pump station for
Danville Utilities (the "Parcel"); and

WHEREAS, the pump station has been decommissioned and demolished and
the City no longer has any expected need or use for the Parcel and it is surplus to the needs
of the City; and

WHEREAS, the neighboring landowner adjacent to the Parcel, desires to
purchase the Parcel for a price of \$500.00 and all closing costs in order to maintain the land.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Danville,
Virginia, that the sale of the Parcel of land on Fox Hollow Drive with Tax Map No. 9818-003-
000015.000, in exchange for purchase price of \$500.00 and all closing costs is hereby
accepted by the City of Danville, Virginia; and

BE IT FURTHER RESOLVED, pursuant to Sections 15.2-1800 and 15.2-1813
of the Code of Virginia, 1950, as amended, and in consideration of the public hearing this
day held by Council, that the City Manager, Kenneth F. Larking, be, and he is hereby,
authorized and directed to convey ownership of the Parcel on behalf of the City of Danville;
and

BE IT FINALLY RESOLVED, that the City Council of Danville, Virginia, hereby
approves and authorizes the City Manager, Kenneth F. Larking, to execute on behalf of the

City any and all documents as may be necessary to effect the transfer pursuant to this resolution.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney



72043

149

70886

72078

72079

72041

72045

72046

70884

145

70885

77908

70877

77907

121

FOX HOLLOW DR

3516

77869

119

71223

3416

71224

3406

71226

71221

3505

71222

71228

WESTOVER DR

71203

71202

71247

3401 C

70932

66 of 97

3401 1

71219

Mail tax bills to: James and Diane Collie
145 Fox Hollow Dr.
Danville, VA 24541

Tax Map # 9818-003-000015.000

*This deed is exempt from
Grantee's tax pursuant to Va.
Code § 58.1-811(C)(4).*

THIS DEED OF BARGAIN AND SALE made this the ____ day of _____, 202__, by and between **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia, GRANTOR, and JAMES ALLEN COLLIE and DIANE GERRINGER COLLIE, or the survivor, GRANTEES,**

W I T N E S S E T H:

For Five Hundred Dollars (\$500.00), the receipt and adequacy of which is hereby acknowledged, the Grantor does hereby give and grant, with general warranty and English covenants of title, unto the Grantee, in fee simple absolute, all that certain parcel of land, together with improvements thereon and appurtenances thereto belonging, situate in the City of Danville, Virginia, and more particularly described as follows:

See attached "Schedule A" for legal description.

This conveyance is made subject to all easements, rights of way, or restrictive covenants now of record or affecting said property.

This conveyance having been authorized and accepted by the City Council of Danville, Virginia by Resolution No. _____ adopted on _____, 202__, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY: _____
KENNETH F. LARKING
City Manager

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the _____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

SCHEDULE "A"

TAX MAP NO. 9818-003-000015.000 – FOX HOLLOW DRIVE, DANVILLE, VIRGINIA

BEGINNING at a point in the west margin of Fox Hollow Drive (former Lansing Road) at the corner of Lot 1A and Lot 32 as shown on the map hereinafter referred to; thence S. 81° 23' W. 72.33 feet; thence N. 10° 45' W. 75 feet; thence N. 81° 23' E. 72.33 feet to said margin of Fox Hollow Drive (former Lansing Road); thence along said road S. 10° 45' E. 75 feet to the point and place of beginning; being Lot 1A as shown on map showing survey of lot for City of Danville dated October 1, 1955 by H. S. Peirce, recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book , at page 34.

BEING IN FACT, the same property conveyed to the City of Danville, Virginia, from William W. Wilson, by deed dated October 12, 1955 and recorded in the aforesaid Clerk's Office in Deed Book , at page 31.

Council Letter

City of Danville, Virginia



CL-2665

New Business H.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Community Garden License near Locust Lane

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

The Danville Masjid and Islamic Center desires to obtain a license from the City to operate a community garden upon two (2) surplus vacant lots owned by the City along Locust Lane.

BACKGROUND

The City owns two (2) vacant properties along Locust Lane and Sunset Place identified as Parcels #05001 and #05005, respectively. These parcels do not have any current or planned City use. The Danville Masjid and Islamic Center, a community non-profit, desires to utilize portions of these lots to operate a community garden. The City has an established program encouraging the use of vacant City-owned lots by community groups interested in operating public community gardens. The granting of a license by the City to allow for a community garden is conditioned on the licensee abiding by a license agreement and a series of best practices, copies of which are attached to the resolution.

RECOMMENDATION

City staff recommends the Council grant a one (1) year community garden license to the Danville Masjid and Islamic Center for Parcels 05001 and 05005 subject to the conditions included in the License Agreement, and Rules and Procedures attached hereto.

Attachments

Resolution

Attachment 1

Attachment 2

Attachment 3

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022____.____

A RESOLUTION AUTHORIZING A LICENSE FOR COMMUNITY GARDENING NEAR LOCUST LANE.

WHEREAS, the City owns certain vacant parcels of real property commonly known as Parcel #05001 Locust Lane and #05005 Sunset Place; and

WHEREAS, the City has an interest in promoting the health of its residents and the productive use of property within its boundaries; and

WHEREAS the Danville Masjid and Islamic Center, a non-profit community group, desires a license from the City to operate a community garden on Parcels #05001 and #05005 to promote community togetherness, health, well-being, and quality of life.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia 1950, as amended, and in consideration of the public hearing this day held by Council, that the Danville Masjid and Islamic Center be granted a license to operate a Community Garden upon City Parcel #05001 and #05005 for a period of one (1) year in accordance with the License Agreement attached to this resolution and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such community garden license.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

City Attorney

COMMUNITY GARDEN LICENSE

THIS COMMUNITY GARDEN LICENSE (the “License”), made on this the ____ day of _____, 20____ (the “Effective Date,”) by and between the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia** (the “City”), and the **DANVILLE MASJID ISLAMIC CENTER, a religious body organized in Virginia** (the “Licensee”), hereafter collectively known as “the Parties.”

:: R E C I T A L S ::

WHEREAS, the City owns certain real property located within the City of Danville, two (2) undeveloped lots approximately 10 acres in area along Locust Lane and Sunset Place commonly known as Parcel ID #s 05001 and 05005 (the “Property”);

WHEREAS, the Licensee wishes to operate a community garden upon the Property, for use by the general public;

WHEREAS, the City wishes to grant to the Licensee a limited, non-exclusive license to operate a community garden upon the Property, pursuant to the terms and conditions set forth in this License.

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings hereinafter set forth, the City hereby grants a limited license to use and occupy the Property, subject to the limitations, terms, and conditions set forth herein:

1. **Suitability of purpose.** The Property is offered to the Licensee “as-is,” and the City makes no warranty or guarantee of any kind as to the suitability or fitness of the Property for the production of crops, or for any other purpose.
2. **Use of Property.** The License granted by the City to the Licensee is a limited, non-exclusive, non-transferable license to maintain a community garden upon the Property. This License shall permit the Licensee to invite members of the general public to enter onto the Property and plant crops, and shall permit the Licensee to place and maintain any personal property and temporary improvements necessary to facilitate the plantation of crops by the general public, subject to the further requirements of this License.
3. **Rules and Procedures.** In conducting any activity pursuant to this License, the Licensee shall observe and comply with all terms of the “Lots of Potential Community Gardening Program: Rules and Procedures” (the “Rules”), a copy of which attached hereto as “Schedule B” and is incorporated into this License by reference as if fully laid out herein. The City reserves the right to amend or modify the Rules from time to time in its sole discretion, and any amended Rules shall become incorporated into this License, as if fully laid out herein, upon delivery of notice of such amendment or modification to the Licensee. If there is any contradiction or discrepancy between the terms of this License and the Rules, as they may be amended, the terms of this License shall be given precedence in resolving such contradiction or discrepancy.

4. **Expiration; renewal.** The term of this License shall automatically expire one year from the Effective Date above referenced, unless this License is earlier terminated pursuant to the terms and conditions outlined herein. At any time prior to the expiration of this License, this License may be renewed for a subsequent term upon the mutual written consent of the Parties; provided, however, that the Licensee acknowledges that Licensee has neither a property interest in, nor a reasonable expectation of, any such renewal.

5. **Assignment and sublicense.** The Licensee may not assign or sublicense this License without the advance written consent of the City. Any purported assignment or sublicense not authorized by the City shall be without force or effect, and shall cause the automatic termination of this License without notice to the Licensee. For the purpose of this License, any participant community gardening activities described herein is considered an invitee and not an assignee or sublicensee.

6. **Termination.** The City may, in its sole discretion, terminate this License by delivering notice to the Licensee, and by posting such notice at the Property, at any time during the term of this License and for any reason whatsoever, including, without limitation:

- a. The Licensee's violation of any provision of this License, or with the Rules, as they may be amended or modified;
- b. The Licensee's abandonment of the Property, as may solely be determined by the City;
- c. Any change in ownership of the Property to a person or entity which is not an agency of the City or controlled by the City;
- d. Any emergency which affects the health, safety, or welfare of the general public; and
- e. Any act by the Licensee which results in the attachment or filing of a lien against the Property.

7. **Procedure for expiration and termination.** If this License expires, or is terminated for any reason, the Licensee shall, not more than thirty (30) days after such termination becomes effective, cause any crops on the Property to be harvested, and cause to be removed any improvements, personal property, refuse, or debris generated by its activities or the activities of any of its invitees. Any property remaining upon the Property thereafter shall be deemed abandoned and shall become property of the City. The City may charge the Licensee for the City's actual costs in demolishing or removing any improvements, personal property, refuse, or debris remaining upon the Property more than thirty (30) days after the termination of this License. The City may collect such costs from the Licensee in any manner permitted by law.

8. **Liability issues.** The Licensee shall hold harmless the City and the Commonwealth of Virginia, and their respective agents, employees, and officers, and shall indemnify and defend the same, from any and all liability related to any claim for any loss, injury, damage, death, or any other harm to the Licensee, its agents, employees, officers, and invitees, or any other third party, or to the property of any person, arising from any occurrence directly or indirectly related to, connected with, or incidental to the activities contemplated by this License, unless such damage, loss, injury, death, or other harm was intentionally caused by the City, or the Commonwealth of Virginia, or their respective officers, agents, or employees.

9. **Liability for invitees.** In relation to any claim which may be raised by the City arising from any activity contemplated by this License, the Licensee agrees to assume all liability for the acts of any invitee onto the Property.

10. **Insurance.** The Licensee shall acquire a policy of comprehensive general liability insurance with a minimum liability limit of of FIVE HUNDRED THOUSAND and 00/100 DOLLARS (\$500,000.000), applicable to all liabilities undertaken by the Licensee pursuant to this License. The Licensee shall maintain such policy during the term of this License and any subsequent renewal of this License, and shall name the City as an additional insured party under any such policy. The Licensee shall furnish proof of such insurance at the time this License is executed, and at any other time upon the City's request.

11. **Utilities.** The Licensee shall pay all utility charges that may be assessed as a result of any activity which occurs on the Property as a result of this License, and shall place any such utilities in its own name.

12. **Right of entry.** The Licensee shall allow the City, its agents, employees, and officers, access onto the Property at any time for the purpose of determining the Licensee's compliance with this License and the Rules.

13. **Land disturbing activities.** The Licensee shall not engage in any activity (including, without limitation, the erection, installation, placement, or affixation of any improvement or personal property) which penetrates the land surface of the Property to a depth of greater than six (6) inches.

14. **Improvements.** Any improvements erected, installed, placed, or affixed upon the Property by Licensee shall be temporary in nature. The Licensee shall seek the approval of the City prior to erecting, installing, placing, or affixing such improvement. The Licensee shall obtain all permits, licenses, inspections, and approvals required by the Building Code Official and the Zoning Administrator of the City of Danville, Virginia, and any other official or agency as may be required by law, for the erection, installation, placement, affixation, or demolition and removal of such improvements.

15. **Severability.** If any provision of this License shall be held invalid or unenforceable by a court, the invalidity or unenforceability of such provision shall not affect any other provision of this License, and this License shall be construed as if such invalid or unenforceable clause was not contained herein. Should the enforceability of any provision of this License be called into question, such provision shall be construed as the mutual agreement of the parties to the fullest extent permitted by law.

16. **Third-party beneficiaries.** Nothing in this License is intended, nor shall it be deemed, to confer any right or remedy upon any person not a party to this License.

17. **Non-waiver.** No waiver of any provision of this License by any party shall be deemed a continuing or further waiver of the same provision, or a waiver of any other provision.

18. **Headings.** The descriptive headings of this License are inserted for convenience only and do not constitute a part of this License.

19. **Counterparts.** This License may be executed in one (1) or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same License.

20. **Construction.** The parties agree that this License shall be construed according to the laws of the Commonwealth of Virginia, and that venue for any court proceeding instituted by a party to this License shall be in the General District or Circuit Court of the City of Danville, Virginia, unless otherwise required by law.

21. **Notices.** Any notice required to be sent by this License shall be deemed effective upon depositing such notice for delivery by certified mail at the addresses listed below:

22. **Entire agreement.** The parties agree that this License supersedes all previous understandings or agreements between the parties, whether oral, written, or implied. The parties agree that they have not relied upon any other or additional representations or consideration in the formation of the agreements contained in this License.

CITY: Kenneth C. Gillie, *or*
Current Director of Community Development
P.O. Box 3300
Danville, VA 24543

LICENSEE: Danville Masjid Islamic Center
259 Piney Forest Rd.
Danville, VA 24540

IN EXECUTION HEREOF, witness the following signatures and seals, this the day first above written:

THE CITY OF DANVILLE, VIRGINIA

BY:

KEN F. LARKING
City Manager

DANVILLE MASJID ISLAMIC CENTER

BY:

TITLE:

Lots of Potential Community Gardening Program: Rules and Procedures

The following rules and procedures of the Lots of Potential program are meant to ensure safe and responsible operation of city-owned properties for community gardens. Upon signing a License with the City of Danville, Licensees also agree to accept the following policies and procedures:

A. Water Service: The City of Danville provides water service to all City residents. A water meter is currently (or can be) installed on the property. The selected grower for a licensed property will be expected to set up an account with the City of Danville and pay for water usage. You will be charged for irrigation only.

B. Drainage: The free flow of stormwater must be maintained at all times. Damming, blocking, or obstructing a storm water conveyance channel is prohibited. The harvesting of rainwater (rain barrels) may be used upon approval by the City's Public Works Department. Irrigation drainage shall not discharge to any City storm sewer. Irrigation drainage shall remain onsite and only discharge to a vegetated area of the property.

C. Erosion and Sediment Control: The City's Erosion & Sediment Control Program must be followed at all times. Sediment laden storm water or irrigation water shall not discharge onto an adjacent property. Erosion & Sediment Control practices (i.e. silt fence, sediment traps) shall be installed in accordance with the latest version of the Virginia Erosion & Sediment Control Handbook.

D. Hours of Operation: The properties may be accessed from dawn to dusk.

E. Use of Mechanical Equipment: Household tools, lawnmowers and other lawn care equipment with manufacturer's mufflers are exempt from the City's noise ordinance from 6am-10pm.

F. Vehicular Access: Throughout the entire term of the license (including development phases), the potential impacts on the surrounding neighborhood must be considered. The project must be designed and operated with satisfactory consideration to traffic flow, parking, and pedestrian safety.

G. Noise: Activities must comply with the noise ordinance of the City of Danville and any amendments thereto. Agricultural activities, excluding animals, are exempt from the noise ordinance.

H. Odor: The Licensee should make all reasonable attempts to control odor on the premises, including best practices for composting and reuse of garden materials.

I. Weeds and Grass: Each site must be weeded regularly and weeds and grass may not be allowed to go to seed. The Licensee should abide by the City of Danville weed ordinance. The Licensee should also adhere to all state and federal regulations regarding noxious and invasive weeds, and related quarantines.

J. Sheds: Permanent tool storage sheds may be appropriate for certain sites, but any proposed buildings will require proper permitting from the City of Danville, Planning Division.

K. Season-Extending Structures: The design and location of large, permanent season extending structures (greenhouses, hoopouses, coldframes) are subject to approval by City of Danville, Planning and Inspections staff.

L. Fences and Signs: The Licensee may erect fences and signs on the Licensed Property pursuant to the City of Danville zoning code. Prior to acquisition of fences or signs, plans for fences and signs must be approved by City of Danville Planning Division staff.

M. Maintenance: If the site has a sidewalk adjacent to the property, the Licensee is responsible for any and all snow removal on City sidewalks. Licensee shall also keep the Licensed Property mowed and trimmed as to all licensed areas not under cultivation. The property must be maintained in an aesthetically appealing and safe manner – free of graffiti and debris along the sidewalks and right-of-way.

N. Fires/cooking: Licensees (or guests) may not start or maintain a campfire, or burn weeds or crop residues on the site. Limited use of a barbecue grill is permitted for special events, with prior written permission from the City Sustainability Coordinator.

O. Smoking: Smoking is prohibited on the Lots of Potential sites, as cigarette tobacco can transfer tobacco mosaic virus to tomato and pepper plants, and poses a fire hazard.

P. Personal Property: The Licensee shall be responsible for any gardening or farming tools or implements on the Licensed Property and shall secure and store any personal property left on the Licensed Property.

Q. Subletting: Sites may be subleased to additional gardeners (as in a Community Garden) or to additional farmers for production. The Lots of Potential program administrator requires notification in such cases. However, the named Licensee is the sole responsible party. Therefore, any violations incurred by a sublessee will become the responsibility of the primary Licensee.

R. Pets: Pets on the site must be on a leash per the City leash ordinance.

S. Chickens: Danville City Zoning Code allows for the raising of fowl for egg or meat production. The maximum total number of permitted fowl allowed to be owned or kept on an individual lot is five chickens per three acres by special use permit only. Requests for the raising of fowl must be made through the Danville Planning Division.

T. On-Site Produce Sales: On-site sales of garden/farm produce is prohibited.

U. Accessibility: Common Ground sites must be accessible to people with all ability levels and meet the design requirements of the Americans with Disabilities Act (ADA). Although there are no formal ADA design guidelines for urban agriculture, best practices include: Establishing an accessible entrance, creating routes of sufficient width so that wheelchair users can navigate between garden components, building raised beds (at least 24 inches high and 48 inches wide) for disabled access in at least some portion of the garden.

V. Use of Pesticides and Agricultural Chemicals: No pesticides or agricultural chemicals can be used in the Lots of Potential program that does not appear in the attached list. When pesticide use is necessary, signs will be posted one hour prior to application. They will be placed in highly visible areas and remain up for 24 hours after notification. The notification signs will include: the name and active ingredient of the pesticide product, the date of pesticide use, and the contact information for the Lessee.

W. Raised Beds: All gardening must take place in raised beds. Raised beds are to conform to Lots of Potential program requirements. They must be at least 24 inches tall, have a liner to prevent roots from growing into the ground and use new, clean soil. For accessibility, it is recommended that beds are no wider than 48 inches across.

VIOLATION OF ANY OF THE ABOVE RULES MAY BE CAUSE FOR TERMINATION.

All City of Danville codes apply. To view all relevant City codes, and ordinances:

https://www.municode.com/library/va/danville/codes/code_of_ordinances?nodeId=10628

Lots of Potential Program 2017 Allowed Pesticide List				
Signal Word	Trade/Product Name	Active Ingredient	Type	Typical Use
Caution	Armicarb	Potassium Bicarbonate	Fungicide	control blackspot, powdery mildew on roses & flowers
Caution	Cleary's 3336F	Thiophanate-methyl	Fungicide	to prevent fungal infection on pine trees and turfgrass
Caution	Protect DF	Zinc ion & Manganese Bisthiocarbamate	Fungicide	curative fungicide for turfgrass
None required	Acelpryn	Chlorantraniliprole	Insecticide	control of grub worms, bagworms - no signal word required
Keep out of reach of children	Conserve SC	spinosad	Insecticide	bagworm control
Caution	Dylox	Trichlorfon	Insecticide	turf grub worms
caution	Merit or Zenith 0.5G	Imidacloprid	Insecticide	to control grubs in turfgrass
Caution	RTU Safer Brand Insecticidal Soap	Potassium salt of fatty acid	Insecticide	to control aphids, spidermites, caterpillars on flowers
Caution	Omni Oil 6E	petroleum oil parafin base	Insecticide/Miticide	spidermites
Caution	Wasp-A-Foam Advanced	d-trans allethrin & MGK® Permethrin	Insecticide	wasp and hornet nest spray - used on plants
Caution	Zep Wasp & Hornet Killer	Tetramethrin	Insecticide	wasp and hornet nest spray - non electrical conductor
Caution	Floramite SC	Bifenazate	Miticide	used in rotation with other products to control spidermites
Caution	Hexygon DF	Hexythiazox	Miticide	used in rotation with other products to control spidermites
Caution	Talstar P	Bifenthrin	Insecticide	general insecticide for trees, flowers and shrubs
Caution	Barricade	Proflaminate	Herbicide	pre-emergent to control annual grassy weeds in turfgrass
Caution	Dimension	Dithiopyr	Herbicide	pre-emergent to control annual grassy weeds in turfgrass
Caution	Power Zone	carfentrazone-ethyl MCPA,2-ethylhexylester Mecoprop acid & Dicamba acid	Herbicide	post emergent selective control of broadleaf weeds like clover and dandelions in turfgrass
Caution	Dismiss	Sulfentrazone	Herbicide	post emergent control of yellow nutsedge in turfgrass
Caution	Drive XLR8	quinclorac	Herbicide	post emergent control for crabgrass in turf
Caution	Primo Maxx	Trinexapac-ethyl	Herbicide	turfgrass growth regulator

Caution	Freehand 1.75G	dimethenamid -P pendimethalin	Herbicide	pre-emergent control of yellow nutsedge, annual and perennial weeds in landscape plantings
Caution	5% Treflan	trifluralin	Herbicide	pre-emergent control of annual weeds in flower beds
Caution	Snapshot 2.5TG	trifluralin isoxaben	Herbicide	pre-emergent control of annual and perennial weeds in landscape plantings
Caution	Surflan A. S.	Oryzalin	Herbicide	pre-emergent control of annual and perennial weeds in fence lines, guard rails
Caution	Pennant Magnum	S-metolachlor	Herbicide	pre-emergent control of yellow nutsedge, annual and perennial weeds in landscape plantings, fence lines
Caution	Ornamec	fluasiflop-P-butyl	Herbicide	post emergent selective control of bermuda grass in landscape plantings
Caution	Glyphosate Pro 4	Glyphosate	Herbicide	post emergent non selective weed control
Caution	Round Up Pro Concentrate	Glyphosate	Herbicide	post emergent non selective weed control
Caution	Round Up Pro Max	Glyphosate	Herbicide	post emergent non selective weed control
Caution	Sedge Hammer or ProSedge	Halosufuron-methy	Herbicide	post emergent to control yellow nutsedge in turf and landscape plantings
Caution	Sucker Stopper	ethyl 1-napthalenacetate	Herbicide	reduce sucker growth at base of crabapple trees
Caution	Tenacity	Mesotrione	Herbicide	selective weed control in turfgrass
Caution	Remedy Ultra	triclopyr	Herbicide	post emergent control for lespediza
Caution	GreenMatch	d-limonene	Herbicide	non selective herbicide - organic product
Caution	XL 2G	benefin & Oryzalin	Herbicide	pre-emergent weed control in landscape beds
Caution	Mole Killer	Bromethalin	Rodenticide	mole control in turfgrass
Caution	DyneAmic	modified vegetable oil and organosilicone surfactent blend	Additive	increased effectiveness of product
Caution	WaterWetter	Alkyl Phenol Ethoxylate	Additive	increased effectiveness of product
Caution	TREE-age G4	Emamectin Benzoate	Insecticide	Tree injection for control of Emerald Ash Borer

COMMUNITY GARDEN LICENSE

THIS COMMUNITY GARDEN LICENSE (the “License”), made on this the _____ day of _____, 20____ (the “Effective Date,”) by and between the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia** (the “City”), and **RIGHT TOUCH CHRISTIAN CHURCH, a Virginia corporation** (the “Licensee”), hereafter collectively known as “the Parties.”

:: R E C I T A L S ::

WHEREAS, the City owns certain real property located within the City of Danville, a vacant lot on N. Main Street commonly known as Parcel ID #02044 (the “Property”);

WHEREAS, the Licensee wishes to operate a community garden upon the Property, for use by the general public;

WHEREAS, the City wishes to grant to the Licensee a limited, non-exclusive license to operate a community garden upon the Property, pursuant to the terms and conditions set forth in this License.

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings hereinafter set forth, the City hereby grants a limited license to use and occupy the Property, subject to the limitations, terms, and conditions set forth herein:

1. **Description of the licensed property.** The portion of the Property licensed to the Licensee (hereafter the “Premises”) is that portion of the Property identified in the sketch attached to this license as “Schedule A.” All activities permitted by this License shall take place solely within the Premises. The Premises is offered to the Licensee “as-is,” and the City makes no warranty or guarantee of any kind as to the suitability or fitness of the Premises for the production of crops, or for any other purpose.

2. **Use of premises.** The License granted by the City to the Licensee is a limited, non-exclusive, non-transferable license to maintain a community garden upon the Premises. This License shall permit the Licensee to invite members of the general public to enter onto the Premises and plant crops, and shall permit the Licensee to place and maintain any personal property and temporary improvements necessary to facilitate the plantation of crops by the general public, subject to the further requirements of this License.

3. **Rules and Procedures.** In conducting any activity pursuant to this License, the Licensee shall observe and comply with all terms of the “Lots of Potential Community Gardening Program: Rules and Procedures” (the “Rules”), a copy of which attached hereto as “Schedule B” and is incorporated into this License by reference as if fully laid out herein. The City reserves the right to amend or modify the Rules from time to time in its sole discretion, and any amended Rules shall become incorporated into this License, as if fully laid out herein, upon delivery of notice of such amendment or modification to the Licensee. If there is any contradiction or

discrepancy between the terms of this License and the Rules, as they may be amended, the terms of this License shall be given precedence in resolving such contradiction or discrepancy.

4. **Expiration; renewal.** The term of this License shall automatically expire one year from the Effective Date above referenced, unless this License is earlier terminated pursuant to the terms and conditions outlined herein. At any time prior to the expiration of this License, this License may be renewed for a subsequent one-year term upon the mutual written consent of the Parties; provided, however, that the Licensee acknowledges that Licensee has neither a property interest in, nor a reasonable expectation of, any such renewal.

5. **Assignment and sublicense.** The Licensee may not assign or sublicense this License without the advance written consent of the City. Any purported assignment or sublicense not authorized by the City shall be without force or effect, and shall cause the automatic termination of this License without notice to the Licensee. For the purpose of this License, any member of the general public invited to participate in the community gardening activities described herein is considered an invitee and not an assignee or sublicensee.

6. **Termination.** The City may, in its sole discretion, terminate this License by delivering notice to the Licensee, and by posting such notice at the Property, at any time during the term of this License and for any reason whatsoever, including, without limitation:

- a. The Licensee's violation of any provision of this License, or with the Rules, as they may be amended or modified;
- b. The Licensee's abandonment of the Property, as may solely be determined by the City;
- c. Any change in ownership of the Property to a person or entity which is not an agency of the City or controlled by the City;
- d. Any emergency which affects the health, safety, or welfare of the general public; and
- e. Any act by the Licensee which results in the attachment or filing of a lien against the Property.

7. **Procedure for expiration and termination.** If this License expires, or is terminated for any reason, the Licensee shall, not more than thirty (30) days after such termination becomes effective, cause any crops on the Property to be harvested, and cause to be removed any improvements, personal property, refuse, or debris generated by its activities or the activities of any of its invitees. Any property remaining upon the Property thereafter shall be deemed abandoned and shall become property of the City. The City may charge the Licensee for the City's actual costs in demolishing or removing any improvements, personal property, refuse, or debris remaining upon the Property more than thirty (30) days after the termination of this License. The City may collect such costs from the Licensee in any manner permitted by law.

8. **Liability issues.** The Licensee shall hold harmless the City and the Commonwealth of Virginia, and their respective agents, employees, and officers, and shall indemnify and defend the same, from any and all liability related to any claim for any loss, injury, damage, death, or any other harm to the Licensee, its agents, employees, officers, and invitees, or any other third party, or to the property of any person, arising from any occurrence directly or indirectly related to, connected with, or incidental to the activities contemplated by this License, unless such

damage, loss, injury, death, or other harm was intentionally caused by the City, or the Commonwealth of Virginia, or their respective officers, agents, or employees.

9. **Liability for invitees.** In relation to any claim which may be raised by the City arising from any activity contemplated by this License, the Licensee agrees to assume all liability for the acts of any invitee onto the Property.

10. **Insurance.** The Licensee shall acquire a policy of comprehensive general liability insurance with a minimum liability limit of of FIVE HUNDRED THOUSAND and 00/100 DOLLARS (\$500,000.000), applicable to all liabilities undertaken by the Licensee pursuant to this License. The Licensee shall maintain such policy during the term of this License and any subsequent renewal of this License, and shall name the City and the Commonwealth of Virginia as additional insured parties under any such policy. The Licensee shall furnish proof of such insurance at the time this License is executed, and at any other time upon the City's request.

11. **Utilities.** The Licensee shall pay all utility charges that may be assessed as a result of any activity which occurs on the Premises as a result of this License, and shall place any such utilities in its own name.

12. **Right of entry.** The Licensee shall allow the City, its agents, employees, and officers, access onto the Property at any time for the purpose of determining the Licensee's compliance with this License and the Rules.

13. **Land disturbing activities.** The Licensee shall not engage in any activity (including, without limitation, the erection, installation, placement, or affixation of any improvement or personal property) which penetrates the land surface of the Property to a depth of greater than six (6) inches.

14. **Improvements.** Any improvements erected, installed, placed, or affixed upon the Property by Licensee shall be temporary in nature. The Licensee shall seek the approval of the City prior to erecting, installing, placing, or affixing such improvement. The Licensee shall obtain all permits, licenses, inspections, and approvals required by the Building Code Official and the Planning Director of the City of Danville, Virginia, and any other official or agency as may be required by law, for the erection, installation, placement, affixation, or demolition and removal of such improvements.

15. **Severability.** If any provision of this License shall be held invalid or unenforceable by a court, the invalidity or unenforceability of such provision shall not affect any other provision of this License, and this License shall be construed as if such invalid or unenforceable clause was not contained herein. Should the enforceability of any provision of this License be called into question, such provision shall be construed as the mutual agreement of the parties to the fullest extent permitted by law.

16. **Third-party beneficiaries.** Nothing in this License is intended, nor shall it be deemed, to confer any right or remedy upon any person not a party to this License.

17. **Non-waiver.** No waiver of any provision of this License by any party shall be deemed a continuing or further waiver of the same provision, or a waiver of any other provision.

18. **Headings.** The descriptive headings of this License are inserted for convenience only and do not constitute a part of this License.

19. **Counterparts.** This License may be executed in one (1) or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same License.

20. **Construction.** The parties agree that this License shall be construed according to the laws of the Commonwealth of Virginia, and that venue for any court proceeding instituted by a party to this License shall be in the General District or Circuit Court of the City of Danville, Virginia, unless otherwise required by law.

21. **Notices.** Any notice required to be sent by this License shall be deemed effective upon depositing such notice for delivery by certified mail at the addresses listed below:

CITY: Kenneth C. Gillie, *or*
Current Director of Community Development
P.O. Box 3300
Danville, VA 24543

LICENSEE: Rev. Tommy Crews
Right Touch Christian Church
513 Worsham Street
Danville, VA 24540

IN EXECUTION HEREOF, witness the following signatures and seals, this the day first above written:

THE CITY OF DANVILLE, VIRGINIA

BY: _____
KEN F. LARKING
City Manager

RIGHT TOUCH CHRISTIAN CHURCH, INC.

BY: _____

TITLE: _____

Danville Masjid and Islamic Center

259 Piney Forest Road • Danville, Virginia 24540



11/3/2021

To the members of the city council.

Thank you for your time and consideration in the matter of the land and its use.

I have listed below the intended use of the area and its potential benefit to the community.

A community garden is at the forefront of the vision for this space. A place where the community can come together to grow and produce flowers, cultivate friendship and build a stronger connection with fellow community members. An outlet for those who really enjoy watching things grow and being a part of something enriching and wholesome.

This space will also allow the community to come and enjoy a nice stroll, nature, and potentially start a more active lifestyle. This day and age we have all become more sedentary and could benefit from a nice place to go enjoy nature and some light activities.

It would serve as a nice day trip away to rest and reflect. Enjoy time with friends and family or simply sit, enjoy a book and have some quiet time.

We have and serve a great community and I feel this space will only add enjoyment for years to come. It would leave a tradition of community gardening and togetherness for generations to come.

Again, thank you all for your time, consideration, and above all the opportunity to continue the betterment of our fine community.

Sincerely,

Kalil Khan

President and Board of Directors

Council Letter

City of Danville, Virginia



CL-2664

New Business I.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: Acceptance of Parcels #20600, #20617, and 22262 on Stokes Street

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

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

The City is interested in improving the streetscape along parts of the boundary of the Monument-Berryman Redevelopment area. In order to complete this as planned, the City must acquire ownership of three (3) vacant lots identified as Parcel #s 20600, 20617, and 22262 on Stokes Street.

BACKGROUND

The City is interested in improving the visible streetscape along Berryman Avenue, the eastern boundary of the Monument-Berryman Redevelopment area. City Council designated the Monument-Berryman Redevelopment area to prioritize targeted improvements to encourage growth around the River District and Old West End. In furtherance of this plan, the City is able to acquire ownership of desired parcels fronting on Stokes Street near its intersection with Berryman Avenue. These Parcels are subject to a total of thirty-seven (37) nuisance abatement liens held by the City, totaling approximately \$13,560.00, a delinquency that exceeds the assessed value of the land. The owner is willing to convey the property to the City in exchange for the satisfaction and release of the existing liens and delinquencies owed against the lots.

RECOMMENDATION

City staff recommends proceeding with acquiring Parcel #s 20600, 20617, and 22262 on Stokes Street in exchange for the satisfaction and release of the existing liens and delinquencies to assist with the streetscape improvements.

Attachments

Resolution

Deed

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2022-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY IDENTIFIED AS PARCELS 20600, 20617, AND 22262 STOKES STREET FOR STREETSCAPING.

WHEREAS, The City of Danville desires to make streetscape improvements along the intersection of Stokes Street and Berryman Avenue along the Monument-Berryman Redevelopment area to eliminate blight and encourage redevelopment; and

WHEREAS, Parcels #20600, #20617, and #22262 fronting on Stokes Street have been identified by the City as ideal for such streetscape work; and

WHEREAS, The City of Danville, since 2009, in furtherance of its duty to protect the health and safety of the community, has recorded Thirty-seven (37) liens total at the Circuit Court cumulatively against Parcels #20600, #20617, and #22262 on Stokes Street for nuisance abatement services valued at approximately \$13,500.00; and

WHEREAS, given the size and location of these Parcels it is likely that future City abatement services will be required absent a change in ownership; and

WHEREAS, the owner of the Parcels desires to convey the Parcels to the City to facilitate the City's purposes, in exchange for the satisfaction and release of those liens and taxes assessed directly against Parcels #20600, #20617, and #22262; and

WHEREAS, under Va. Code § 15.2-906(4) a locality may release such liens against a particular property in order to facilitate its transfer to the locality.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Danville, Virginia, that the conveyance of Parcels #20600, #20617, and #22262 in exchange for the satisfaction and release of those City-held liens and delinquencies assessed against Parcels #20600, #20617, and #22262 is hereby accepted by the City of Danville, Virginia; and

BE IT FURTHER RESOLVED, by the City Council of Danville, Virginia, that it hereby authorizes the City Manager, Ken Larking, to execute on behalf of the City any and all documents as may be necessary to effect the transfer of the Parcels to the City.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

THIS **DEED OF BARGAIN AND SALE** made this the ____ day of _____, 202__, by and between **ALFRED W. HARPER, JR., GRANTOR**, and the **CITY OF DANVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia, GRANTEE**,

W I T N E S S E T H:

For consideration, the receipt and adequacy of which is hereby acknowledged, the Grantor does hereby give and grant, with general warranty and English covenants of title, unto the Grantee, in fee simple absolute, all that certain parcel of land, together with improvements thereon and appurtenances thereto belonging, situate in the City of Danville, Virginia, and more particularly described as follows:

See attached "Schedule A" for legal description.

This conveyance is made subject to all easements, rights of way, or restrictive covenants now of record or affecting said property.

This conveyance having been accepted by the City Council of Danville, Virginia by Resolution No. _____ adopted on _____, 202__, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

WITNESS the following signatures and seals:

BY: _____
ALFRED W. HARPER, JR.
Grantor

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the _____ day of _____, 202__, by **Alfred W. Harper, Jr.**

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

ACCEPTED BY:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY:

**KENNETH F. LARKING
City Manager**

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY:

NOTARY PUBLIC

My commission expires:

Notary registration number:

SCHEDULE "A"

TAX PIN #20600 – STOKES STREET, DANVILLE, VIRGINIA

LOT NO. 83, fronting 33 feet on the southern side of Stokes Street, and running back therefrom between parallel lines approximately 150 feet, and part of Lot No. 82, fronting 7 feet on the southern side of Stokes Street running back therefrom between parallel lines approximately 150 feet, and being in fact 7 feet on the western side of Lot No. 82, and lying next to Lot No. 83, as shown on map of part of Green Estate, the property of Messers., Boswell and Conway dated August 1905, made by J.R. Edmunds, Surveyor recorded in the Clerk's Office of the Circuit of the City of Danville, Virginia in Deed Book 71, at page 23.

BEING, in fact, the same real estate conveyed to Alfred W. Harper, Jr. from Esther H. Harper, unmarried, by deed dated January 17, 2012 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia as Ins. #12-247 at page 0025.

TAX PIN #20617 – STOKES STREET, DANVILLE, VIRGINIA

FRONTING 40 feet on the northern side of Stokes Street and running back therefrom between parallel lines 97.4 feet to a rear line of 40 feet along an alley. Being in fact, Lot No. 73, as shown on a map of part of the Green Estate, the property of Messers, Boswell and Conway, dated August 1905, made by J.R. Edmunds, Surveyor, and of record in the Clerk's Office of the Circuit Court of Danville Virginia, in Deed Book 71, page 23.

BEING, in fact, the same real estate conveyed to Alfred W. Harper, Jr. from Alfred W. Harper and Esther H. Harper, husband and wife, by deed dated August 10, 1993 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia as Ins. #93-3381.

TAX PIN #22262 – STOKES STREET, DANVILLE, VIRGINIA

FRONTING 40 feet on the northern side of Stokes Street and running back therefrom between parallel lines to an alley. Being in fact, Lot No. 72 as shown on map of a part of the Green Homestead Place, belonging formerly to Boswell and Conway made by J.R. Edmunds, C. E., recorded in the Clerk's Office of the Circuit Court of Danville, Virginia in Deed Book 71, page 23.

BEING, in fact, the same real estate conveyed to Alfred W. Harper, Jr. from Alfred W. Harper and Esther H. Harper, husband and wife, by deed dated August 10, 1993 and recorded in the Clerk's Office of the Circuit Court of Danville, Virginia as Ins. #93-3381.

Council Letter

City of Danville, Virginia



CL-2690

New Business J.

City Council Regular Meeting

Meeting Date: 01/18/2022

Subject: 2022-2023 Comprehensive Economic Development Strategy Priority Projects

From: Corrie Bobe, Director of Economic Development

COUNCIL ACTION

Business Meeting: 01/18/2022

SUMMARY

The West Piedmont Planning District Commission's (WPPDC) Comprehensive Economic Development Strategy (CEDS) Priority Projects list provides the basis for the receipt of federal Economic Development Administration (EDA) funds to help underwrite the costs of local projects. The EDA requires that regional plans be updated annually.

BACKGROUND

Work on the 2022-2023 CEDS update is already underway by the West Piedmont Planning District Commission (WPPDC). The deadline to submit the Regional Comprehensive Economic Development Strategy to the U.S. Department of Commerce Economic Development Administration is March 31, 2022.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution, which will approve the submission of the City's CEDS Projects List, as shown in the attached document, for 2022-2023. City Council's adoption of the attached resolution also authorizes the City Manager to submit the required letter of endorsement.

Attachments

Resolution

Priority List

Participation Letter

PRESENTED: _____

ADOPTED: _____

RESOLUTION 2022-____.____

A RESOLUTION APPROVING THE SUBMISSION OF THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PRIORITY PROJECTS FOR MAINTAINING DANVILLE'S STATUS AS A REDEVELOPMENT AREA UNDER THE ECONOMIC DEVELOPMENT ADMINISTRATION'S PROGRAM.

WHEREAS, the City of Danville desires to maintain its status as a redevelopment area under the Economic Development Administration and desires to be covered by the 2022-2023 Comprehensive Economic Development Strategy (CEDS) for the West Piedmont Planning District; and

WHEREAS, the City of Danville would like to submit its list of projects for the CEDS priority projects listing, a copy of which is attached hereto.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager be, and he is hereby, authorized and directed to submit Danville's CEDS project list and endorsement letter.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

WEST PIEDMONT COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

PRIORITY PROJECTS

April 1, 2022 - March 31, 2023

LOCALITY	PROJECT NAME / DESCRIPTION	PRIORITY	TYPE	STATUS	COST	ANTICIPATED BENEFITS / OUTCOMES
Danville	Southern Virginia Megasite at Berry Hill - Danville and Pittsylvania County - Design and grading of a 65-acre pad on Lot 11	1	Economic	Planning Phase	\$4,200,000	1,500 jobs
Danville	Riverview Industrial Park - Grade a 25 +/- acre pad on Lot FF	1	Economic	Funding Phase	\$1,000,000	100 jobs
Danville	Industrial Shell Building - Construct a 50,000 SF inudustrial shell building to assist with marketing to industry desiring an expedited location decision and to increase the current inventory of buildings suited for modern manufacturing.	1	Economic	Planning Phase	\$4,000,000	TBD
Danville	White Mill Redevelopment - Electric transmission lines and substation to accommodate redevelopment of the White Mill, formerly served by Dan River and AEP.	1	Infrastrucure	Funding Phase	\$6,000,000	200 jobs
Danville	Riverfront Park, White Water Course, and Covered Pedestrian Bridge - Development of a park area adajcent to the Martin Luther King, Jr. bridge in accordance with the River District Redevelopment Plan. Complete the engineering and construction of a world-class whitewater course using an existing canal located in the River District and also connecting it into the Dan River. Complete the design and construction of a former textile pedestrian bridge to convert it into a public amenity, which will also connect the White Mill and Riverfront park to the north banks of the river. The north banks, or Long Mill site, are well-suited for new development.	1	Community	Funding Phase	\$17,000,000	Indirect jobs
Danville	Southern Virginia Megasite at Berry Hill - On- and Off-Site Rail Construction - Danville and Pittsylvania County - New on-site rail construction and off-site improvements for the SVMS	1	Economic	Funding Phase	\$12,500,000	1,500 jobs
Danville	Site Improvements at the Coleman Industrial Site - Site improvements to include grading and sanitary sewer, electrical service, and other infrastructure improvements.	1	Economic	Planning Phase	\$11,195,182	200 jobs
Danville	Site Improvements at Cane Creek Centre Industrial Park Lot 10 - Danville and Pittsylvania County - Site improvements to include access road, grading, and sanitary sewer.	1	Economic	Planning Phase	\$4,900,000	300 jobs
Danville	Hangar at North Side of Danville Regional Airport - Site preparation, A/E design, and construction of a 100' x 30' hangar	1	Economic	Funding Phase	\$2,300,000	TBD
Danville	Revolving Loan Fund - Augment existing program given increased demand.	2	Economic	Shovel Ready	\$249,000	TBD
Danville	Water and Gas Improvements - Elevated water storage tank and pumping station, along with water and gas mains for the South Danville Corridor (an underserved area).	2	Infrastrucure	Planning Phase	\$9,000,000	Indirect jobs
Danville	City Auditorium Renovations - Complete the renovation of the City Auditorium that was built in 1932 and houses a 1,000 seat auditorium in the heart of the River District.	2	Community	Planning Phase	\$13,300,000	TBD



City of Danville
City Manager's Office

January 18, 2022

Ms. Linda Cruz-Carnall, Regional Director
U.S. Department of Commerce
Economic Development Administration
Philadelphia Regional Office
Robert N.C. Nix Federal Building
900 Market Street, Room 602
Philadelphia, PA 19107

Dear Ms. Cruz-Carnall:

Whereas the local governing body of the City of Danville, Virginia supports the West Piedmont Economic Development District Designation, this is to advise that we have elected to be covered by the Year 2022 Comprehensive Economic Development Strategy for the West Piedmont Planning District Commission in its capacity as an EDA Economic Development District. The projects included in the document's prioritized project list have been endorsed by the local governing body at its meeting on January 18, 2022 for assistance in improving the economy of our area.

On behalf of my community, thank you for the opportunity to participate in the Economic Development Administration's Economic Development District Program.

Sincerely,

Ken Larking
City Manager

cc: Kristie Eberly, WPPDC