



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

January 17, 2023

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. Citizens who desire to speak on matters not listed on the agenda or on matters which do not have a public hearing will be heard at this time. Citizens who desire to speak on agenda items that have a public hearing will be heard when the agenda item is considered and the public hearing is opened. 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 - J. Lee Vogler, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Proclamation: National Mentoring Month
Presented to: Pat Daniel, Big Brothers, Big Sisters of the Danville Area

Presentation: Danville Police Department and Danville Youth and Gang Prevention

By: Chief Scott Booth and Robert David, Youth and Gang Prevention Coordinator

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 matters not listed on the agenda or on matters which do not have a public hearing, will be heard at this time. Citizens who desire to speak on agenda items that have a public hearing will be heard when the agenda item is considered and the public hearing is opened.

MEETING MINUTES

Consideration of Approval of Minutes from Regular Council Meeting held on December 20, 2022.
Council Letter Number CL - 2913.

NEW BUSINESS

- A. Review of the General Fund Financial Results through December 31, 2022.
Council Letter Number CL - 2910.
- B. Consideration of Vacating a City Alley on Newton Street.
Council Letter Number CL - 2879.
 - 1. Public Hearing
 - 2. An Ordinance Vacating Approximately 0.03 Acres of Public Alley on Newton Street.

- C. Consideration of Extending a Temporary, Sixty-Day Ambulance Operator's Permit.
Council Letter Number CL - 2907.
1. Public Hearing
 2. An Ordinance Extending a Temporary Ambulance Operator's Permit to Fab's Family Medical Transport.
- D. Consideration of Approving and Authorizing the Comprehensive Agreement Between the Danville School Board and English Construction Company, Inc.
Council Letter Number CL - 2912.
- A Resolution of the Council of the City of Danville Virginia Approving and Authorizing the Comprehensive Agreement Between the School Board of the City of Danville and English Construction Company, Inc. to Perform Final Design and Construction Services for Renovations and Additions to George Washington High School, in Accordance with Virginia Code §56-575.16(5).
- E. Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance in the Amount of \$741,024 from the Department of Criminal Justice Services.
Council Letter Number CL - 2908.
- An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services ARPA Law Enforcement Technology Grant in the Amount of \$741,024 and Appropriating Same.
FIRST READING
- F. Consideration of Amending the Fiscal Year 2023 Budget Appropriation for Grant Funds for Litter Control and Recycling Efforts.
Council Letter Number CL - 2900.
- An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Anticipate Grant Funds from the Commonwealth of Virginia for Litter Control and Recycling Efforts in the Amount of \$14,536 and Appropriating Same.
FIRST READING

COMMUNICATIONS FROM:

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

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2913

Meeting Minutes

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/17/2023

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on December 20, 2022.

Council Letter Number CL - 2913.

Attachments

Meeting Minutes

December 20, 2022

The Second Regular December meeting of the Danville City Council was held on December 20, 2022, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry Mayo, Dr. Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9). *Mr. Whittle entered the meeting at 7:04 p.m.*

Staff Members present were: City Manager Ken Larking, Deputy City Manager Earl Reynolds, Deputy City Attorney Alan Spencer and City Clerk Susan M. DeMasi. City Attorney W. Clarke Whitfield, Jr. was absent.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Sherman M. Saunders gave the Invocation followed by the Pledge of Allegiance.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Anthony Jones, 1034 Dibrell Avenue, who spoke about the church.

Mayor Jones recognized Daryl Turpin, 153 Kenilworth Avenue, retired firefighter, who spoke about recruitment and retention in fire departments, training and firefighter pay.

Mayor Jones recognized Dontell and Brittanie Fitzgerald, founders of the Center, the family entertainment center coming soon to the River District who spoke about the facility.

Mayor Jones recognized Tom Collins, 909 Poplar Trace, who spoke about competitive pay for firefighters.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Consent Agenda items. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 13, 2022. 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:

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

Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Anticipating the Proceeds for the Issuance of Bonds.

An Ordinance entitled, Ordinance No. 2022-12.04, Amending the Fiscal Year 2023 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.

Council Member Whittle questioned Item C and Director of Finance Michael Adkins explained this item was appropriating the bond proceeds from the bonds that were issued about a month ago. The City received those funds and Council had to take this action to actually appropriate that money to the various projects that bond money will pay for. Mr. Whittle noted there was \$2M in there for the school system, and thought they were taken care of with the \$150M; Mr. Adkins stated the 1% local sales tax option bonds that Mr. Whittle was referring to had designated purposes at GW High School and other schools in particular. This \$2M was for the ongoing capital needs such as roofs, or HVAC on other schools; it was part of their routine capital maintenance. Mr. Larking noted this was approved by the Council as part of the current year's budget, in June; staff was working with the school system on what any future requests will be.

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

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

APPOINTMENTS

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

Resolution 2022-12.06 – Reappointing Robert Keesee to the River District Design Commission.

Resolution 2022-12.07 – Reappointing Lenard Lackey to the Employee Retirement System Board.

Resolution 2022-12.08 – Reappointing Hampton Wilkins to the Fair Housing Board.

Resolution 2022-12.09 – Reappointing Katherine Harvell to the Fair Housing Board.

Resolution 2022-12.10 – Reappointing Michael Searce to the Planning Commission.

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

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

NEW BUSINESS

Review of the General Fund Financial Results as of November 30, 2022

Director of Finance Michael Adkins gave the General Fund Financial Results as of November 30, 2022 which represents 42% of the fiscal year or five months of the budget. As of November 30th, revenues were at \$44.8M, 37% of budget and Mr. Adkins stated he does not expect that to track with the timing of the calendar year as the City's revenues were not received evenly through the year, but basically in two periods, in the December and June tax collections. Revenues were up nearly \$1M from last year and that was primarily in the local consumer driven taxes. Real Estate

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and Personal Property Tax collections through November 30th were very comparable to last year, up \$27,000.

Local taxes were the strong performers this year. Sales tax was at \$4.7M, a little ahead of budget at 43% but about \$275,000 more than last year at this time. Meals tax was \$4.5M which represents 47% of budget, tracking at \$425,000 more than last November. Lodging was really the stronger in comparison to last year; the City has collected \$1.2M in lodging taxes, 59% of budget at this point, exceeding last year by \$254,000. The 1% Local Sales Tax for the School bonds, the City based that bond issuance on an approximation of receiving about \$700,000 a month from that revenue source and the most recent payment received this month was \$816,000. That was a good indication that the City will be able to make those debt service payments without any trouble, and any excess will be used to develop a cushion in case there was a downturn in the economy over the next twenty years while the City was paying those bonds back. Also, any excess money will have to offset school capital needs in the future. All other revenues were on track, state and federal funding was being received as scheduled, with no concerns on the revenues so far this year.

On the Expenditure side, everything was tracking well, Departmental Spending was just under 41% of budget at this point. The only concerns right now looking at Non-departmental was group health insurance which because of the inflationary impact on medical costs, those claims were going to be higher than expected at this point. The City was ahead of budget at the end of November at 49% but this week, they received about \$150,000 in stop loss claims. The City's stop loss insurance picked up and that will bring it down to where it was currently at 48%. They were back on track for the first half of the year, but Mr. Adkins noted he thought that was one area they will probably exceed budget by June; they were in the right spot now and should not get too far out with that by June.

Council Member Vogler stated Mr. Adkins mentioned the tax collection for December, why does the City collect the taxes in June and December versus different months. Mr. Adkins stated he did not have an answer for that; traditionally that was how it has been and other localities do the same thing. The City does have the option of billing once a year or twice a year and many people comment why does it have to be around the holidays; he will research that and Mr. Vogler noted he would like to have that conversation.

PUBLIC HEARING – CONSIDERATION OF VACATING A RIGHT OF WAY ON LYNCH STREET

Mayor Jones opened the floor for a Public Hearing regarding Vacating a Right of Way. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 12, 2022 and December 19, 2022. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2022-12.05

AN ORDINANCE VACATING APPROXIMATELY 0.15 ACRES OF UNIMPROVED PUBLIC RIGHT-OF-WAY ON LYNCH STREET.

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

VOTE: 9-0

December 20, 2022

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

PUBLIC HEARING – CONSIDERATION OF APPROVING THE 2022-2023 HOUSING AND URBAN DEVELOPMENT ONE YEAR ACTION PLAN

Mayor Jones opened the floor for a Public Hearing regarding approving the 2022-2023 HUD One Year Action Plan. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 21, 2022. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2022-12.11

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR ACTION PLAN.

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 A RESOLUTION OF SUPPORT OF THE VA250 COMMISSION

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

RESOLUTION NO. 2022-12.12

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA SUPPORTING THE EFFORTS OF THE VIRGINIA AMERICAN REVOLUTION 250 COMMISSION

The Motion was **seconded** by Council Member Buckner 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 DANVILLE CITY CODE SECTION 2-4 – CONFLICT OF INTEREST

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

ORDINANCE NO. 2022-12.06

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AN ORDINANCE AMENDING AND REORDAINING SECTION 2-4, ENTITLED "CONFLICTS OF INTEREST" OF ARTICLE I, ENTITLED "IN GENERAL," OF CHAPTER 2, ENTITLED "ADMINISTRATION," OF THE CODE OF THE CITY OF DANVILLE, 1986, AS AMENDED.

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

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2023
BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DEPARTMENT OF
CRIMINAL JUSTICE**

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

ORDINANCE NO. 2022-12.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM VIRGINIA DEPARTMENT CRIMINAL JUSTICE SERVICES – FISCAL YEAR 2023 SCHOOL RESOURCE OFFICER GRANT PROGRAM IN THE AMOUNT OF \$88,398 AND APPROPRIATING SAME.

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2023
BUDGET APPROPRIATION ORDINANCE FOR A STATE AVIATION GRANT**

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

ORDINANCE NO. 2022-12.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL STATE AVIATION GRANT FUNDING FOR THE PURPOSE OF SEAL COATING THE SHOULDER AREAS OF RUNWAY 13/31 IN THE AMOUNT OF \$68,057 AND THE LOCAL SHARE IN THE AMOUNT OF \$17,014 TO BE PROVIDED BY LOCAL BOND FUNDS AND APPROPRIATING SAME.

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2023
BUDGET APPROPRIATION ORDINANCE FOR GRANT FUNDS FROM THE US
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

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

ORDINANCE NO. 2022-12.09

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AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND HOME INVESTMENT PARTNERSHIP FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND ESTIMATED PROGRAM INCOME FOR A TOTAL APPROPRIATION OF \$1,236,545.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO FUND RIVERFRONT PARK CONSTRUCTION AND GENERAL CONTINGENCY

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

ORDINANCE NO. 2022-12.10

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM VARIOUS TAXES TO FUND RIVERFRONT PARK CONSTRUCTION AND GENERAL FUND CONTINGENCY FOR AN APPROPRIATION IN THE AMOUNT OF \$2,500,000 AND APPROPRIATING THE SAME.

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

Council Member Whittle questioned if the City was raising taxes and City Manager Ken Larking noted they were not, this was anticipating additional revenue, there was no raising taxes. As Mr. Adkins previously mentioned, the consumer driven taxes were performing much better than expected.

Council Member Campbell questioned if it was costing the City more because they had to wait so long and Mr. Larking stated when the bids came in for the Riverfront Park, the base bid was about \$2M higher than what had been expected when the project first began a few years ago. The cost of construction has gone up quite a bit in the past few years; the City was not immune to that and so the cost of the park went up. Fortunately, the City has been receiving additional revenues that could help cover some of that cost. If the City were to wait longer to award the bid, likely the cost would go up. The second lowest bidder for the project was at least \$2M higher than the low bid, and he would be worried if they waited to move forward with this project they would go out to bid at a future date and have more to pay. The base bid was over \$12M and the alternate to do the pier, which was what everyone expected to see happen, was an additional \$2M; that has to wait until after the federal permitting process was complete. The plan was to budget that in a future budget. Mr. Campbell noted the total amount will probably now be \$14M and Mr. Larking noted that was correct, and passing this resolution, moving forward, the \$2.5M will allow the City to go ahead and start the project; it does enable the City to move forward with the project and award the bid. It should start shortly, in the next few weeks, maybe the beginning of next year with an eighteen month timeframe to complete.

Council Member Vogler noted to clarify, these were revenues coming in beyond what the City had budgeted for, so the City was doing better than what they had planned for. In previous years when they had this happen they typically put it back in the reserves and have done that for a number of years which was why the reserves were sitting as well as they were. This time, it was

a First Reading on a vote to take that money to get the shovel in the ground for a park that the City has been talking about for six years. This gets the City across the finish line and people will see construction beginning. Mr. Larking noted as a reminder, the City did receive \$4M in grant funds from the Danville Regional Foundation, a \$740,000 grant from the State, several other donations from various civic clubs and personal donations from people in order to accomplish this park. The City was also using Duke settlement money from the coal ash spill; there was a lot of other peoples' money involved in getting this park built and the City continues to collect. If anyone was interested in helping to bridge the gap to get the Riverfront Park done, they were still looking and will continue to look for additional funds to make that happen. Mr. Larking noted the challenge of this project was that it was a park on a river, and the regulatory process of getting permits approved on the river in the flood plain was more time consuming than was anticipated.

Mr. Whittle noted when it came to tearing down the dam, that was when it was said it would expedite the park and Mr. Larking stated, the pier. Because of the flood plain, if the City could reduce some elements that contribute to the flood plain, they could put more features at the park. It was a good tradeoff; for practical reasons, it makes sense to remove the dam in order to get the park features that people were looking forward to. Mr. Whittle noted that land did not exist when he was young, it was backfill, has the city considered what was under it and Mr. Larking explained there has been testing, it was part of the process of why it was taking so long, all the testing being done and permits. Mr. Whittle stated he was not a park hater, on the other hand, take the \$1.2M from the coal ash spill and fix the thirty parks they have now. Mr. Larking noted the Parks and Recreation department was meeting with neighborhoods throughout the city to get feedback on the kinds of parks they would like to see in the future and certainly that will be addressed in future years.

Vice Mayor Miller noted he was a park lover and believed this one will be a jewel for the City; a lot of work has gone into this, money from the coal ash spill that was designated for this park, input from citizens what they would like at the park, a lot of people have gotten together to do this and it was now getting started. The longer the City waits the more expensive it will be; it was time to start this and get it finished.

CONSIDERATION OF A RESOLUTION IN SUPPORT OF THE PITTSYLVANIA COUNTY'S BOARD OF SUPERVISORS REQUEST TO VDOT

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

RESOLUTION NO. 2022-12.13

A RESOLUTION ENCOURAGING AND SUPPORTING A REQUEST BY THE PITTSYLVANIA COUNTY BOARD OF SUPERVISORS TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RENAME A NORTHERN PORTION OF ROUTE 311/BERRY HILL ROAD (RUNNING FROM ROUTE 58 TO THE INTERSECTION OF THE PROPOSED CONNECTOR ROAD TO SERVICE THE AUTHORITY'S SOUTHERN VIRGINIA MEGASITE PROJECT) TO "HARVILLE-SAUNDERS HIGHWAY", "LANE" OR "ROAD"

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

Mr. Buckner stated he believed this was a fitting tribute to two great men who had a lot to do with the progress and unity seen with the City and County to develop this project.

Vice Mayor Miller noted this was also approved at RIFA; Coy Harville and Sherman Saunders were there at the beginning of the Berry Hill project and there were not two more appropriate people to name this road after.

Council Member Vogler stated as Dr. Miller mentioned, this was on the agenda at the most recent RIFA meeting and they were honored to vote on this. Council Member Saunders did not ask for this and tried to do everything he could to not accept this; that was how humble he was. Mr. Saunders was there from the very beginning of RIFA and the Mega Site; the great things that were in the works and coming out there would not be possible without Sherman Saunders. To have him recognized in this way was completely appropriate and something that will live on beyond everyone here and rightfully so. Mr. Vogler stated he was glad Council was voicing their support for this and hopefully Pittsylvania County will be successful in their efforts through VDOT.

Council Member Campbell noted in addition to the work with the County, his work with PCCA for many years, his relationship with the county has been ongoing, and Council wanted to honor him for his work in the community.

Mayor Jones thanked Mr. Saunders for all that he has done for the City and the County.

Mr. Saunders thanked Council for this, noting it was not expected and he was extremely humbled by it, has never asked for anything for himself and he was so appreciative of it. To everyone, thank you for the kind words.

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

VOTE:	8-0-1
AYE:	Buckner, Campbell, Hood, Jones, Mayo, Miller, Vogler and Whittle (8)
NAY:	None
ABSTAIN:	Saunders (1)

COMMUNICATIONS

Mayor Jones noted there has been much conversation regarding employee pay; Council Members have had a conversation with the City Manager and asked Mr. Larking to give a brief explanation of what they plan to do in January for all city employees.

City Manager Ken Larking explained as part of the current year's budget the City Council adopted, additional compensation to be implemented on January 1, 2023, which will provide an increase to all employees, except certain sworn police officers who had already received a pay increase due to a severe shortage of personnel and the crisis they were experiencing a little over a year ago. This was meant to be a way to alleviate the compression in implementing the \$11.00 minimum wage that the state required. Every employee within the City was supposed to get an increase except for those who had already received one in the police department. Mr. Larking noted they were looking at the potential of an additional increase he would like to recommend at some point to the Council, that would help alleviate, a bit, the \$12.00 minimum wage increase. They know, as reported at the last Council work session, that there were several employees throughout the city government that were underpaid as compared to the market and staff wanted to be able to address that as well. Part of the budget amendment that was under consideration would include funding to address two things: one was a pay study that would be done to take a look at all pay throughout the city organization to make sure they were fairly compensating their

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employees and do it in a way that was the most efficient, and also a \$1,000 across the board increase for most city employees to help with compression related to the \$12 minimum wage.

Mr. Larking stated he wanted to take the opportunity to express his appreciation to the entire work force. Council often compliments the City employees, and he does not do it as often as he should during Council meetings to let Council know how proud he was of his coworkers throughout the city government. They have many reasons to be proud of the work that was done; often they saw departments and individual employees being recognized regionally, statewide and even beyond for the work they were doing on behalf of the community. Danville was getting recognized for the things they were doing to make positive change for the community. Mr. Larking wished them all Merry Christmas, Happy Holidays and a Happy New Year.

Mr. Larking noted the deadline was fast approaching, and IT has asked to let Council Members know they would be happy to help any of them do their security test to make sure they were compliant with the cybersecurity program. If Council has not already done so, the deadline was approaching and to reach out to IT.

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

Council Member Hood thanked all Danville citizens, for coming to Council with questions and concerns; it was appreciated. It humbled each one of them to be in a position to be able to answer those questions; if they don't have the answer right then, they were able to reach out to the City Manager for information. Mr. Hood thanked each Council Member for sharing their wisdom; he appreciated that. On Friday at the Historic North Main Theatre, they will have the Michael Jackson Experience, and wished everyone a Merry Christmas, Happy New Year and looked forward to next year.

Council Member Mayo noted it was good to see all the citizens in attendance this evening. Mr. Mayo gave a shout out to Tyson's who had an event at Danville Community College last Saturday, they had over 40,000 pounds of chicken they gave to citizens that came by; it was a great turnout. There was also another food give away tomorrow with Southwest Virginia Food Distribution at Danville Community College. Mr. Mayo encouraged citizens to be mindful this time of year with the increase in car break ins, don't leave their cars unlocked and valuables in the car. The Harry Johnson Holiday Classic was upcoming and he looked forward to that, and Merry Christmas to everyone.

Vice Mayor Miller noted Charles Harris passed recently; if citizens read the story in the paper, he accomplished a lot. He was a great man and they will remember him and his family. Dr. Miller recognized Grant Crews in IT who helped get him through the cybersecurity training, and recommended Council call him for assistance with it. Dr. Miller wished everyone a Merry Christmas.

Council Member Saunders gave a special thanks to Pittsylvania County and the City of Danville for the honor they were bestowing. He was born and raised Pittsylvania County, lived in Danville for thirty plus years and was very humbled by this recognition. He wanted every young person who was listening or heard about this, this could be them one day, and beyond.

Council Member Vogler noted in ten and half years he has never missed a City Council meeting, but tonight's meeting was a close call; this time last night he was laid up in a hospital bed. Yesterday he and his son were in a pretty bad car wreck but they were very fortunate to walk away from it; he and his son were doing well. Mr. Vogler thanked the firefighters, police officers

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and Danville Life Saving Crew who were there on the scene to help them and the other individual who pulled in front of them. The outpouring of prayers and well wishes they received in the last twenty four hours was amazing, and thanked all the Council Members for their concern. Mr. Vogler wished the city employees and the citizens of Danville a Merry Christmas and Happy New Year.

Council Member Whittle noted his mother celebrated her ninety eight birthday the other day and was grateful that he had her for Christmas; Mr. Whittle wished everyone a good holiday encouraged them to enjoy their families.

Council Member Buckner noted to all employees, co-workers and families, a Merry Christmas, and hoped that 2023 will be their best year yet. Mr. Buckner encouraged everyone to go to the Harry Johnson Holiday Classic on December 27, 28 and 29th at GWHS.

Council Member Campbell noted he wanted to echo everything that was said and was glad Mr. Vogler and his son were okay. Reverend Campbell wished everyone a Merry Christmas, a Happy New Year and to enjoy their families; every new day was a blessing, and 2023 was going to be a great year.

Mayor Jones encouraged parents to take their children to the Michael Jackson event at the North Main Theatre, as well as the Harry Johnson Holiday Classic on December 27, 28 and 29th. Mayor Jones noted Crystal Cobbs did a great job as the school board chair, her last meeting was last week, and they wished her well. Mayor Jones encouraged citizens to slow down and enjoy their friends and families, and the holidays.

CLOSED MEETING

At 8:22 p.m., Vice Mayor Miller **moved** that this meeting of the City Council of the City of Danville, Virginia be recessed and that Council immediately reconvene in a Closed Meeting for the following purposes: discussion and consideration or interview of prospective candidates for employment, assignment, appointment, promotion, performance, salary of specific public employees or appointees as permitted by Subsection (A)(1) of Section 2.2-3711 of the Code of Virginia, 1950 as amended and more specifically to consider: performance and salaries of the City Manager, City Attorney and City Clerk.

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

Upon unanimous vote at 8:30 p.m., Council reconvened in open session and Vice Mayor Miller **moved** for adoption of the following Resolution:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Council convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

December 20, 2022

WHEREAS, Section 2.1-344.1 of the Code of Virginia, 1950, as amended, requires a Certification by the Council that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements of Virginia Law under Section 2.2-3711 were heard, discussed or considered, and (ii) only such public business matters as were identified in the Motion by which the Closed Meeting was convened were heard, discussed or considered by the Committee.

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

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

MEETING ADJOURNED AT 8:31 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2910

New Business A.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: General Fund Monthly Financial Report

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 01/17/2023

SUMMARY

A brief presentation of the General Fund financial results through December 31, 2022, will be given. Financial Statements are included.

Attachments

Financial Statements



To: Ken F. Larking, City Manager

From: Michael L. Adkins, Chief Financial Officer

Date: January 10, 2023

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

After completing the first half of fiscal year 2023, revenues are ahead of the previous year. As of December 31, General Fund revenues were \$57,037,871. This represents 47% of our FY 2023 budget. This is an increase of \$2.3 million over December 31, 2021. Apart from small decreases in permits, fines, miscellaneous revenues, and transfer in from other funds, all major revenue categories are ahead of the prior year. The increase over last year is primarily from growth in property and local taxes.

The first installment of property tax bills was mailed during the first week of November and was due December 5. Collections of current real estate taxes through December were nearly \$10 million, or 53% of budget. This is an increase of nearly \$410,000 over the prior year. Collections of delinquent real estate taxes remains strong at \$660,000, or 73% of budget. Personal Property tax collections also performed as expected at this point in the year with 48% of budget collected. This is an increase of \$407,000 over the prior year. Local taxes collected through December 31, were \$14,351,225, or 45% of budget. This exceeds FY 2022 collections by \$1.3 million.

Regarding local taxes, sales tax collections through December amounted to \$5,631,171 or 51% of budget, an increase of \$341,500 from last year. Meals taxes collected for the first half of the fiscal year amounted to \$5,400,572 or 57% of budget, an increase of \$481,000 from last year. Business Licenses realized through the end of December were \$821,966, an increase of \$147,000 from the prior year. Lodging taxes received as of December 31, were \$1,360,506 or 67% of budget, an increase of \$264,000 from the prior year. All other local tax revenue categories are tracking well with budget and are exceeding the prior year at this point.

Expenditures through December 31 were \$65,074,895 or 50% of budget. This is an overall decrease of \$3.2 million when compared to December 31, 2021. The net decrease in transfers to schools of \$7.4 million at the end of December is offset in part by an increase of \$2.8 million in departmental expenditures attributed to the timing of payments for maintenance service contracts within general government and an increase in public safety of approximately \$1.4 million for budgeted purchases of vehicles, increases in labor and benefits, along with operating expenses related to the new headquarters. Still, departmental spending at December 31 was only 45% of budget.

The increase in non-departmental expenditures of \$1.8 million is a combination of an increase in debt service (\$840,000), group health insurance (\$150,000) and a transfer to the employee retirement system for the retiree bonus (\$616,000).

General Fund expenditures exceeded revenues by \$8 million, an improvement of \$3.3 million when compared to the prior fiscal year. This is typical for most 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, 2022
****PRE-CLOSING FIGURES - SUBJECT TO CHANGE - UNAUDITED****

	Budgets & Appropriations For Current Year	Actual Revenues & Expenditures For Year-to-Date	Percent Realized/Expended This Year	Encumbrances	Balance to be Realized/Expended	Actual Revenues & Expenditures At This Date Last Year
REVENUES:						
Property Taxes	\$ 36,963,520	\$ 18,551,776	50.19%		\$ 18,411,744	\$ 17,551,093
Other Local Taxes	31,579,500	14,351,225	45.44%		17,228,275	13,052,349
License Permits & Privilege Fees	283,330	261,611	92.33%		21,719	304,400
Fines & Forfeitures	299,600	104,878	35.01%		194,722	106,936
Revenue From Use Money & Property	696,940	751,580	107.84%		(54,640)	708,550
Charges For Services	3,389,630	1,540,426	45.45%		1,849,204	1,362,501
Miscellaneous Revenue	47,710	139,389	292.16%		(91,679)	143,910
Recovered Cost	8,490,570	4,166,798	49.08%		4,323,772	3,752,362
Non-Categorical Aid	5,528,740	2,794,232	50.54%		2,734,508	2,686,062
Shared Expenses (Categ. Aid State)	5,637,550	2,742,561	48.65%		2,894,989	2,701,571
Categorical Aid (State)	10,048,080	3,869,461	38.51%		6,178,619	3,709,381
Emergency Services (Federal)	27,020	-	0.00%		27,020	-
Categorical Aid (Federal)	-	9,435			(9,435)	6,630
Transfers From Utilities/Other Funds	17,673,000	7,754,500	43.88%		9,918,500	8,614,863
TOTAL REVENUES	\$ 120,665,190	\$ 57,037,871	47.27%		\$ 63,627,319	\$ 54,700,609
EXPENDITURES:						
General Government Administration	\$ 13,286,954	\$ 7,161,662	53.90%	\$ 183,115	\$ 5,942,177	\$ 6,629,343
Judicial Administration	8,358,031	3,965,019	47.44%	42,590	4,350,423	3,760,857
Public Safety	36,969,200	16,669,462	45.09%	740,772	19,558,966	15,255,961
Public Works	5,080,177	2,295,414	45.18%	187,697	2,597,066	2,067,021
Health, Education, Welfare & Soc. Svc.	9,538,774	3,514,165	36.84%	77,376	5,947,232	3,290,945
Parks, Recreation & Cultural	5,842,651	2,341,110	40.07%	41,935	3,459,606	2,374,264
Community Development	2,719,827	1,010,791	37.16%	88,379	1,620,657	714,540
Non-Departmental	16,492,970	8,281,007	50.21%	-	8,211,963	6,472,430
Transfer to Schools - Operating	26,300,818	18,686,463	71.05%	7,614,355	0	26,096,849
Transfer to Capital Projects	3,045,000	165,000	5.42%	-	2,880,000	706,483
Transfer to Other Funds	1,647,930	984,802	59.76%	-	663,128	963,351
TOTAL EXPENDITURES	\$ 129,282,332	\$ 65,074,895	50.34%	\$ 8,976,220	\$ 55,231,217	\$ 68,332,044
Revenue over(under) Expenditures		<u>\$ (8,037,024)</u>				<u>\$ (13,631,435)</u>
FUND BALANCE:						
Beginning Fund Balance 07/01/2022		\$ 46,401,528				\$ 47,090,495
Revenue over(under) Expenditures		(8,037,024)				(13,631,435)
Ending Fund Balance 12/31/2022		<u>\$ 38,364,504</u>				<u>\$ 33,459,060</u>
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 14,105,903				\$ 12,925,525
Unassigned		<u>24,258,601</u>				<u>20,533,535</u>
TOTAL FUND BALANCE 12/31/2022		<u>\$ 38,364,504</u>				<u>\$ 33,459,060</u>

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

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 10,962,050	\$ 5,631,171	51.37%	\$ 10,115,880	\$ 5,289,645	52.29%
Business Licenses	5,430,000	821,966	15.14%	5,450,000	674,828	12.38%
Meals Tax	9,500,000	5,400,572	56.85%	8,471,320	4,919,090	58.07%
Utility Taxes	930,000	445,639	47.92%	940,000	454,382	48.34%
Vehicle License Fees	1,000,000	260,476	26.05%	1,000,000	226,703	22.67%
Bank Stock Tax	1,000,000	-	0.00%	940,000	-	0.00%
Recordation Tax	270,000	192,084	71.14%	200,000	183,107	91.55%
Hotel Motel Tax	2,025,080	1,360,506	67.18%	1,511,630	1,096,618	72.55%
Daily Property Rental Tax	12,370	10,670	86.26%	13,200	8,001	60.61%
Motor Vehicle Tax	200,000	117,940	58.97%	162,000	104,661	64.61%
DMV Fees	250,000	110,201	44.08%	260,000	95,314	36.66%
TOTAL	\$ 31,579,500	\$ 14,351,225	45.44%	\$ 29,064,030	\$ 13,052,349	44.91%

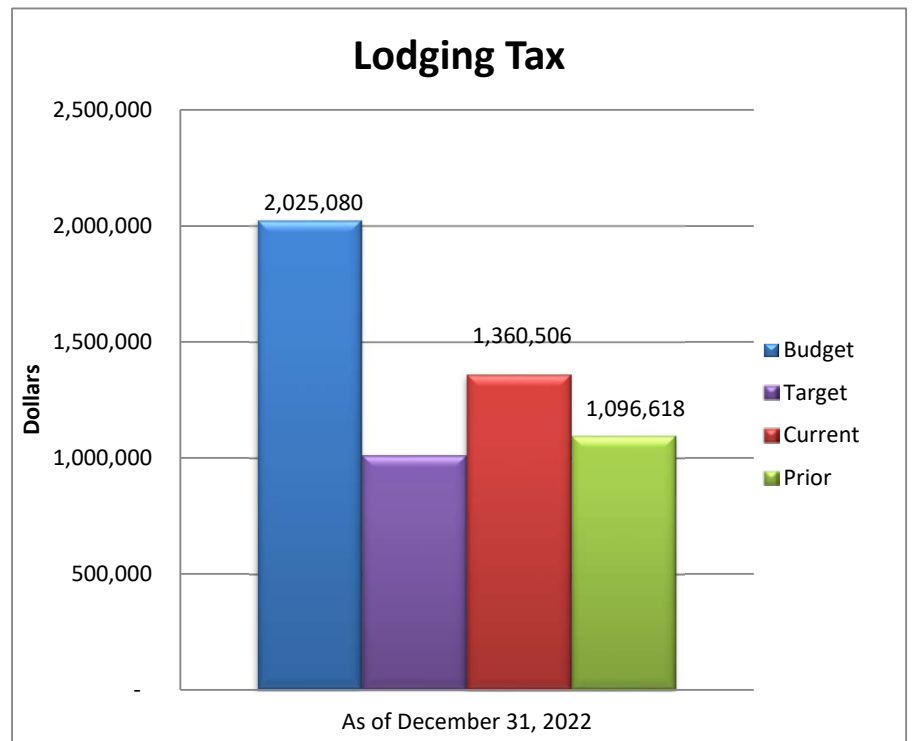
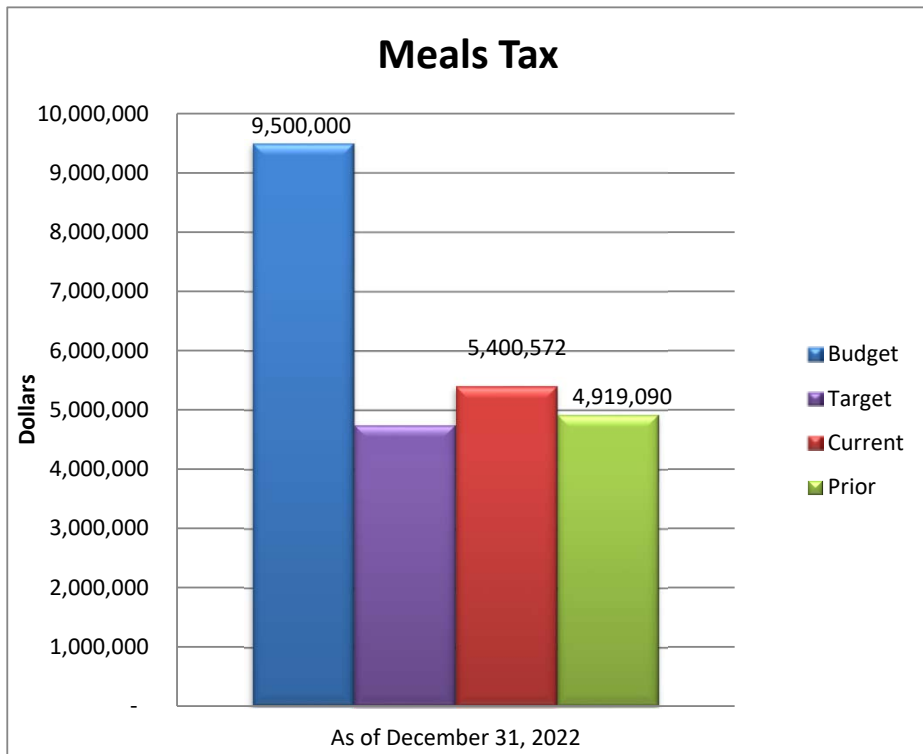
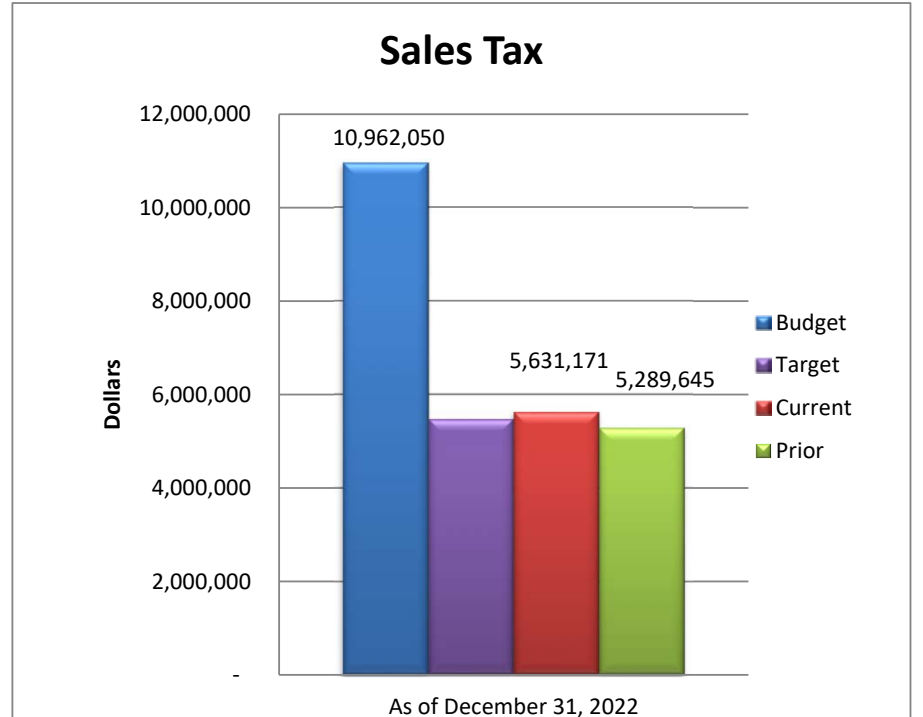
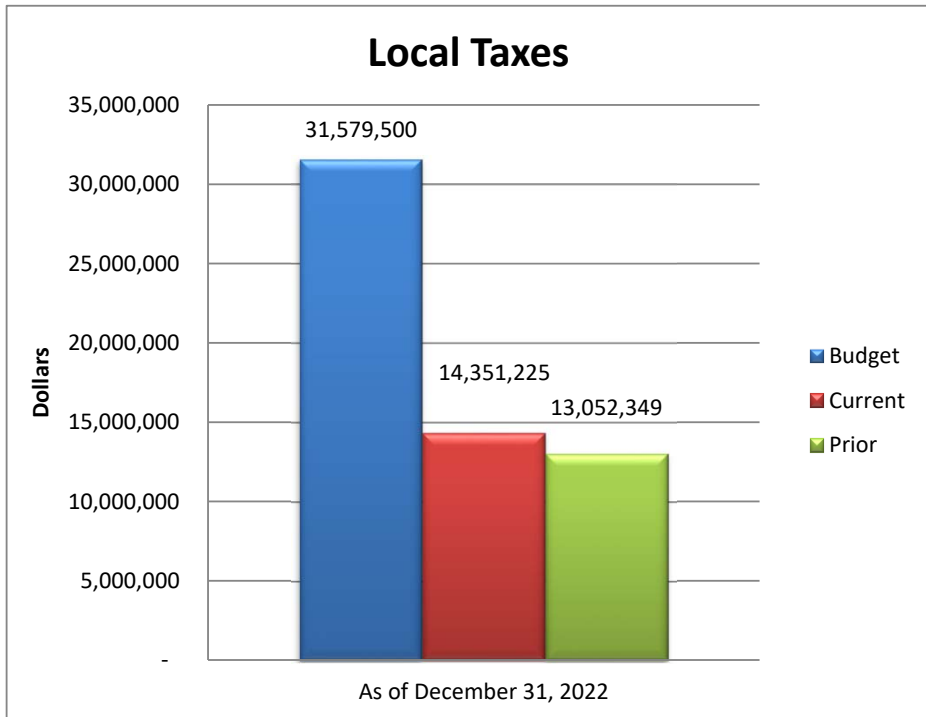
**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF DECEMBER 31, 2022**

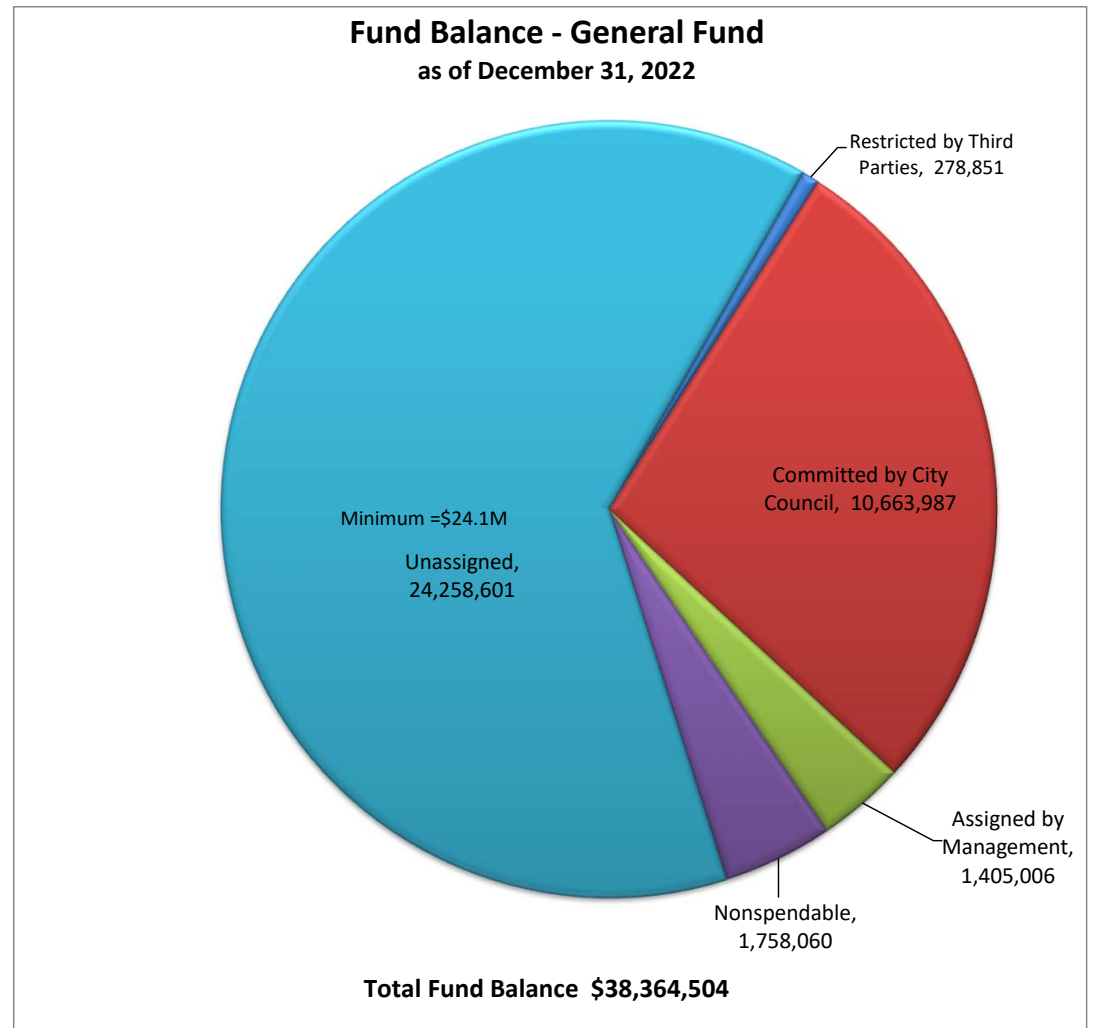
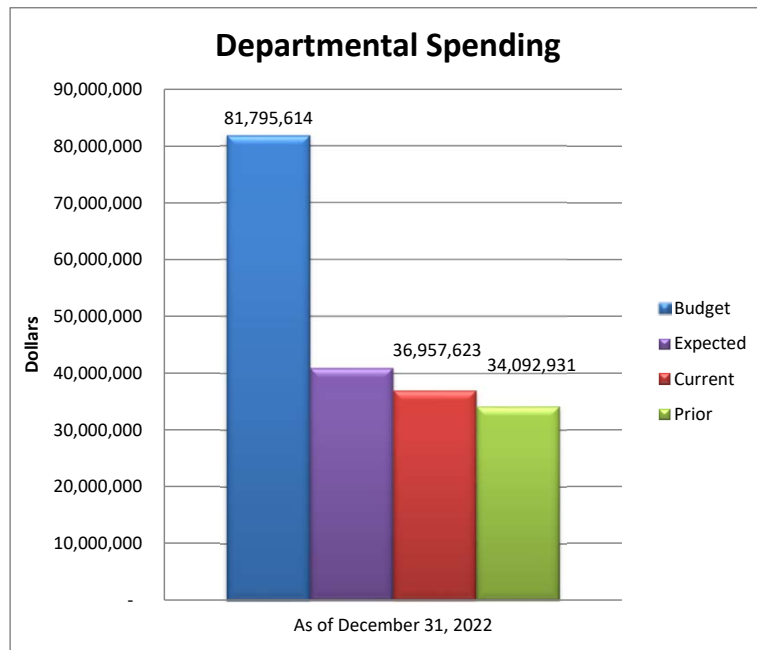
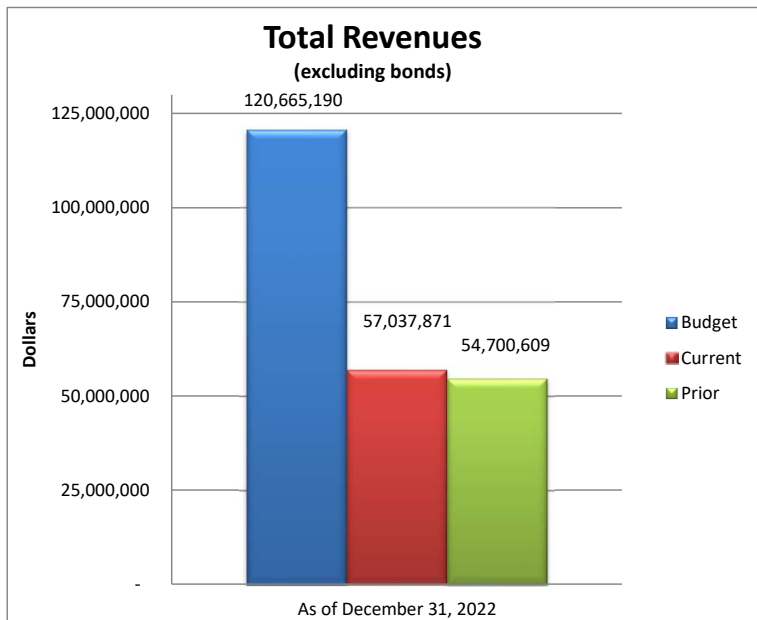
Beginning Total Fund Balance, July 1, 2022	46,401,528.32
Add: General Fund Revenues	57,037,871.20
Deduct: General Fund Expenditures	<u>(65,074,895.28)</u>
Ending Total Fund Balance, December 31, 2022	<u><u>38,364,504.24</u></u>

Composition of Fund Balance:

Restricted for Commonwealth Attorney	103,683.31
Restricted for Police Department	40,230.65
Restricted for Fire Department	134,937.12
Committed for Sheriff's Department	49,631.50
Committed to Schools	7,614,355.00
Committed to Budget Stabilization	3,000,000.00
Assigned to Sheriff's Department	7,170.14
Assigned to Community Development	35,970.70
Assigned for Encumbrances	1,361,864.71
Nonspendable (Inventory and Prepaids)	1,758,060.16
UNASSIGNED	<u>24,258,600.95</u>
Total Fund Balance, November 30, 2022	<u><u>38,364,504.24</u></u>

Unassigned fund balance from above	24,258,600.95
Unassigned Minimum per policy (20% of General Fund Operating Revenues) based on FY 2023 budget	<u>24,133,038.00</u>
Current surplus (deficit) over (under) minimum	125,562.95





Council Letter

City of Danville, Virginia



CL-2879

New Business B.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Vacate City Alley Request - Newton Street

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

COUNCIL ACTION

Business Meeting: 01/17/2023

SUMMARY

The property owner of Parcel Identification Number 26830 on Newton Street is requesting that City Council vacate approximately 0.03 acres of city alley adjacent to their property.

BACKGROUND

The owner of the property of Parcel Identification Number 26830 on Newton Street is requesting that a city alley adjacent to their property be vacated as shown on Exhibit A. The adjacent property owner at Property Identification Number 21125 has agreed to the request to vacate the alley as shown on Exhibit A. All applicable city departments have reviewed the request and no concerns were indicated.

RECOMMENDATION

It is recommended that City Council adopt the accompanying Ordinance vacating approximately 0.03 acre of city alley on Newton Street located adjacent to Parcel Identification Numbers 26830 & 21125.

Attachments

Ordinance

Exhibit A

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022-____.____

AN ORDINANCE VACATING APPROXIMATELY 0.03 ACRE OF PUBLIC ALLEY ON NEWTON STREET.

WHEREAS, pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia, 1950, as amended, the governing body intends to move to vacate a portion of the unimproved public right-of-way containing 0.03 acre, more or less, to the abutting property owners at Parcel Identification Number 26830 & 21125 at no cost other than the application fee and public hearing advertisement cost, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right of way; and

WHEREAS, the Industrial Development Authority, owner of Parcel Identification Number 26830, has requested in writing that the city alley between Parcel Identification Numbers 26830 & 21125 be vacated; and

WHEREAS, the Danville Industrial Development Authority has agreed to pay the cost of the application fee and public hearing advertisement cost; and

WHEREAS, the owners of Parcel Identification Numbers 26830 & 21125 both agree to the city vacating the alley; and

WHEREAS, the City has agreed to vacate the aforementioned right-of-way at no cost other than the application fee and public hearing advertisement cost; and

WHEREAS, it appears to the City Council that due notice of the aforesaid vacation has been given as required by law, and that such vacation would be in the best public interest.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that a portion of the public alley located on Newton Street, containing 0.03 acre, more or less, as shown on Exhibit A, a copy of which is attached hereto, and made a part hereof, for a more particular description of said right-of-way, is hereby vacated and abandoned to the

abutting property owners at Parcel Identification Number 26830 & 21125 at no cost other than the application fee and public hearing advertisement cost; and

BE IT FURTHER ORDAINED, that the Council of the City of Danville, Virginia, hereby authorizes and directs the City Manager to execute on behalf of the City any required deeds and agreements related thereto; and

BE IT FINALLY ORDAINED that a certified copy of this Ordinance be recorded and indexed in the Deed book at the Clerk's Office of the Circuit Court of the City of Danville, Virginia.

APPROVED:

Mayor

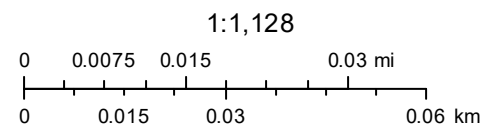
ATTEST:

Clerk

Approved as to
Form and Legal Sufficiency:

Assistant City Attorney

EXHIBIT A



Council Letter

City of Danville, Virginia



CL-2907

New Business C.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Consideration of a Issuing a Temporary Ambulance Operators Permit

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/17/2023

SUMMARY

Fab's Family Medical Transport, by Jaime Bethel, filed an application with the City for an Ambulance Operator's Permit.

BACKGROUND

In accordance with Article III, entitled "Ambulances" of Chapter 39 entitled "Vehicles for Hire" of the Code of the City of Danville, Virginia, Jaime Bethel submitted an application for an Ambulance Operator's permit for Fab's Family Medical Transport, to the City Clerk. City Administration has reviewed the application and made recommendations; a copy of that report is attached to this Council Letter.

The Council's Ambulance Committee met on December 9, 2022 to review the application and make recommendations to the City Council.

RECOMMENDATION

After meeting on December 9, 2022, the Ambulance Committee recommends that a sixty-day temporary permit be issued to Ms. Bethel contingent on the following provisions:

1. Proof of Liability Insurance;
2. Number of Ambulances and proof of insurance;
3. Full criminal background check for owner or owners; and
4. Inspection of vehicle(s) by the Fire Department.

Attachments

Ordinance

Application

Evaluation

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2023 - _____._____

AN ORDINANCE EXTENDING A TEMPORARY AMBULANCE OPERATOR'S PERMIT TO FAB'S FAMILY MEDICAL TRANSPORT.

WHEREAS, Fab's Family Medical Transport, has applied for an ambulance operator's permit, in accordance with the provisions of Article III, entitled "Ambulances," of Chapter 39, entitled "Vehicles for Hire," of the Code of the City of Danville, Virginia, 1986, as amended; and

WHEREAS, the Ambulance Committee reviewed the application for a full-service operator's permit filed by Fab's Family Medical Transport, made an investigation and analysis, as required by Sections 39-101 and 39-107 of the City Code, and recommended that a temporary, sixty-day permit be issued to Fab's Family Medical Transport; and

WHEREAS, Council has determined, pursuant to Section 39-107(g) of the City Code that a need exists to approve the applicant's temporary ambulance operator's permit to provide ambulance service for sixty (60) days until March 18, 2023, subject to reasonable conditions; and

WHEREAS, Council therefore, concludes that a need exists, to authorize the applicant a temporary ambulance operator's permit and should be issued to Fab's Family Medical Transport.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that, pursuant to Section 39-107 (g) of the City Code that a temporary ambulance operator's permit for Fab's Family Medical Transport, for temporary ambulance service be, and is hereby, approved and shall be issued and is hereby granted

for sixty (60) days, beginning on January 17, 2023, and expiring on March 18, 2023,

subject to the following conditions:

1. Compliance with all of the applicable provisions of Chapter 39 of the City Code and other applicable federal, state, and local laws, and the conditions set forth.

2. The ambulance operator permit holder will keep such records and make such reports to the City Manager or his designee with respect to furnishing ambulance service under this ambulance operator permit as shall be required and requested by the City Manager or his designee. The City Manager or his designee may prescribe the form of such records and reports and shall have the right to inspect the records, facilities, and equipment of the ambulance operator permit holder at any time.

3. The ambulance operator permit holder will indemnify, keep, and hold the City free and harmless from any and all liability for injury or damage to any and all persons, firms, and corporations and property arising out of or directly or indirectly resulting from the performance of this permit; and in the event any suit or proceeding shall be brought against the City, at law or in equity, either independently or jointly with the permit holder, on account of, founded upon or arising out of the performance of this permit, the permit holder will defend the City therein at the cost of the permit holder, and in the event of a final judgement or decree being obtained or entered in any such action of suit against the City, either independently or jointly with the permit holder, then the permit holder will pay such judgement, together with all costs and expenses of whatever nature, or comply with such decree, and hold the City harmless therefrom.

4. Should the ambulance operator permit holder breach any term, condition or provision of this permit and fail to correct, remedy or remove the condition that constitutes such breach within thirty (30) days after written notice thereof has been received by the permit holder from the City Manager or his designee, or should the permit holder become insolvent or a receiver or receivers be appointed for it, or should the permit holder make assignment for the benefit of its creditors and such insolvency is not remedied or such receivership or assignment is not vacated within thirty (30) days, the City Manager or his designee may immediately terminate this permit.

5. Neither the permit nor the rights, privileges and obligations inuring to or assumed by the ambulance operator permit holder thereunder shall be assigned or transferred, directly or indirectly, and every such assignment or transfer shall be void and shall automatically and immediately terminate this permit.

6. The term of the temporary ambulance operator's permit shall be for sixty (60) days, beginning January 17, 2023, and ending March 18, 2023.

7. The ambulance service required will serve the hospital, nursing homes, general public, and doctors' offices.

8. Ambulance service must conform to the City Code entitled "Ambulances," of Chapter 39, entitled "Vehicles for Hire," of the Code of the City of Danville, Virginia, 1986, as amended.

9. Fab's Family Medical Transport shall provide a performance bond or letter of credit (in a form acceptable to the City Attorney) to secure performance under this permit.

10. Fab's Family Medical Transport shall provide an audited financial statement and profit and loss statement for 2017 within ninety (90) days after this date.

11. The ambulance operator permit holder shall immediately notify the Fire Chief of any citation and/or suspension issued against Fab's Family Medical Transport state EMS agency certificate, and/or any employee's state EMS certification, issued by the Virginia Office of Emergency Medical Services.

12. The ambulance operator permit holder shall have a two-way radio communication system between the City of Danville Emergency Communication Center (ECC), Fab's Family Medical Transport dispatch office, and each ambulance. All communication equipment will be maintained so that it will operate effectively and efficiently.

13. The ambulance operator permit holder will have available at all times, 24 consecutive hours each day of the year, at a minimum for service at least the following vehicles and equipment:

a. Four (4) ambulances, which meet the state minimum certification requirements, to answer advance life support calls;

b. Proper staff that meets the state EMS personnel regulations with additional current certification for Emergency Medical Technicians (EMT) in the following:

- 1) Emergency Vehicle Operating Course (EVOC);
- 2) CPR

c. Additional current certifications for Paramedic, or Enhanced Technicians in the following:

- 1) Advanced Cardiac Life Support (ACLS)
- 2) Pediatric Advance Life Support (PALS) or Pediatric Education for Pre-Hospital Professionals (PEPP)
- 3) CPR
- 4) Emergency Vehicle Operations Course (EVOC)

14. Fab's Family Medical Transport shall operate a central business and response office within the City limits of Danville, said location must be approved by the City Manager or his designee.

15. Fab's Family Medical Transport shall have at least one single-party telephone service for receipt and dispatch of ambulance and wheelchair services. The telephone shall be manned 24 hours a day to take calls from the public. The telephone number assigned to these services shall be listed and made available through publication for use of the general public.

16. Qualified personnel must be provided to efficiently operate telephone and radio communications systems and services for the immediate rendition of ambulance services.
17. Insurance shall be carried against loss and liability in connection with the performance of the ambulance service. (Minimum required—One million (\$1,000,000) for bodily injury to any one person in any one accident and not less than five-hundred thousand (\$500,000) for all bodily injuries resulting from any one accident, and one-hundred thousand (\$100,000) for property damage.) A copy of the insurance carried must be provided to the City Manager or his designee.
18. The City reserves the right to request a financial statement from the bidder or proof of financial stability.

APPROVED:

Mayor

ATTEST:

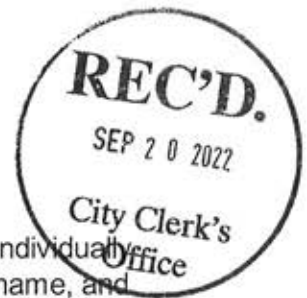
Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

CITY OF DANVILLE

APPLICATION FOR AMBULANCE OPERATOR'S PERMIT



1. Name and Address of Applicant. (If a partnership, give the trade name and individually name all partners and give their addresses; if a corporation, give the corporate name, and names and addresses of all officers of the corporation.)

Jaimie Watson Bethel
496 Homestead Trail
Kinggold, Va. 24586

2. Business location within the City of Danville:

208 North Union Street Suite 203
Danville, Va. 24541

3. Have any of the applicants been convicted of a felony or of a misdemeanor involving moral turpitude within the last ten years?

_____ yes

☒ no

4. Number of ambulances that the applicant proposes to operate and the make, model, serial or motor number, and the correct State License Number of each vehicle:

Total Number of Ambulances: To be determined

Vehicle List (make, model, serial or motor number, License Number:

To be determined

5. The applicant hereby certifies that he/she has obtained or will obtain liability insurance in accordance with Section 39-92 of the Code of the City of Danville, Virginia, 1986 as amended, as is evidenced by his/her signature hereto.

Jaimie W. Bethel

6. Please provide a Schedule of Rates proposed to be used within the City of Danville.

BLS \$250.74 and \$8.10/mile

ALS \$300.89 and \$8.10/mile

CITY OF DANVILLE

APPLICATION FOR AMBULANCE OPERATOR'S PERMIT

7. Please attach or provide any other information, data, and/or documents needed by the City as indicated in Sections 39-107 and 39-108 of the Code of the City of Danville, Virginia, 1986 as amended, and in any published notice that the City is currently receiving applications for an ambulance operator's permit.

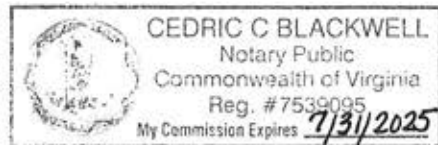
James W. Bethel
Name

Commonwealth of Virginia
City/County of Danville

Subscribed to and sworn before me this 19th day of September, 2022

Cedric C. Blackwell
Notary Public

My commission expires: 7/31/2025



Please see letter attached.

Fab's Family Medical Transportation

208 North Union Street

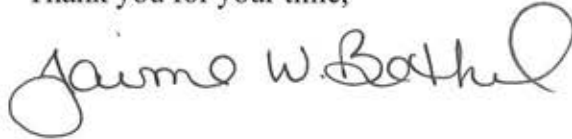
Suite 203

Danville, Va. 24541

This business will be primarily used for transportation for discharged patients from the hospital and transfers from the hospital to other hospitals for a higher level of care. I will also be taking patients to Dr's appointments and dialysis appointments.

I will not be running any emergency 911 calls.

Thank you for your time,

A handwritten signature in black ink that reads "Jaime W. Bethel". The signature is fluid and cursive, with the first name "Jaime" being more prominent and the last name "Bethel" following in a similar style.

Jaime W. Bethel

434-770-6836



To: Mayor Alonzo Jones and Members of the Ambulance Committee

From: Tim Duffer, Deputy Fire Chief

Date: October 25, 2022

Subject: Application for an Ambulance Operator's Permit.

Summary

On September 20, 2022, the city clerk received an application for an Ambulance Operator's Permit from Jaime Watson Bethel. Her intentions are to start an ambulance service under the name of "Fab's Family Medical Transportation. This service is to provide non-emergency transportation for patient that require ambulance transport in the city. This service will provide Advance Life Support (ALS) and Basic Life Support (BLS) transportation. She does not intend to provide service to the 911 system however she did state in our interview that the company would provide support to the city during times of emergency or if a medical facility required evacuation.

Per the city code 39-107 the Fire Chief or his designee are required to complete an investigation or needs assessment and file a report to the committee.

Staff Recommendations.

Based on the needs assessment and Fire Department administration we recommend to the Ambulance Committee to issue an Ambulance Permit to Fab's Family Medical Transportation. Our Findings were based on the following items:

- The lack of transportation was one of the top issues that our local hospital faces each day. Over the past few months this has caused the hospital to go on diversion several times. This is not the only issue but was cited as a major concern by Alan Larson, President of SOVAH Health Danville in a meeting with the City Manager and other EMS leaders to discuss the diversion issue for Danville.
- Currently Danville has one permitted private ambulance service. LifeCare obtained its permit in May of 2018. During this time LifeCare has struggled to meet the demand for transportation in Danville and has not been able to maintain 4 trucks in service as they stated in their application. LifeCare is a



large company and is able to pull units from other locations in Virginia to meet the transport needs. But this has caused delays in the system that has contributed to the diversions in the city.

- Danville Life Saving Crew has also started transporting non-emergency patients to doctors offices and returning patients home to meet the needs of the city. This is not their primary role and they do not currently run this service after 10:00 PM. Danville Life Saving Crew has a primary responsibility to provide emergency transportation and to support the 911 system in Danville.

Fab's Family Medical Transportation will still need to provide the following items that were not available during this investigation. This was due to her not starting the final parts of her startup until after she has approval from the committee and council. If she is approved, she will be required to submit this information before the permit is issued.

- Liability Insurance
- Number of ambulances and proof of insurance.
- Full Criminal Background check for the owner or owners

The Fire Departments investigation is to determine a need for the city, we are also tasked with making sure the applicant is capable of providing the service. This is a difficult question, Fab's Family Medical Transportation is a startup company. The medical transportation industry has been growing over the years due to insurance company changes. The Fire Department does not feel we should limit a business startup in the City of Danville. Our main goal in this investigation was to determine if there was a need for an additional ambulance transportation provider. Based on the information we have. We feel Danville could support an additional ambulance provider to meet the demands of non-emergency transportation.

Tim Duffer

Deputy Fire Chief

Council Letter

City of Danville, Virginia



CL-2912

New Business D.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Comprehensive Agreement to Complete Design Services for Renovations and Additions to George Washington High School

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

COUNCIL ACTION

Business Meeting: 01/17/2023

SUMMARY

As a part of the school bond referendum held on November 2, 2021, construction projects are planned for George Washington High School. City Council approved the Interim Agreement for these renovations at a prior meeting.

The Comprehensive Agreement is between the School Board of the City of Danville and English Construction Company, Inc. to complete the design services for renovations and additions to George Washington High School, in accordance with Virginia Code § 56-575.16(5).

BACKGROUND

The School Board of the City of Danville has chosen English Construction Company, Inc. to perform final design services for renovations and additions to George Washington High School. Pursuant to Virginia Code § 56-575.16(5) City Council is required to approve the Comprehensive Agreement between the Danville School Board and English Construction for George Washington High School.

RECOMMENDATION

It is recommended that the City Council adopt the accompanying Resolution approving and authorizing the Comprehensive Agreement between the School Board of the City of Danville and English Construction Company, Inc. to perform final design services for renovations and additions to George Washington High School, in accordance with Virginia Code § 56-575.16(5).

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2023 - _____._____

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE VIRGINIA APPROVING AND AUTHORIZING THE COMPREHENSIVE AGREEMENT BETWEEN THE SCHOOL BOARD OF THE CITY OF DANVILLE AND ENGLISH CONSTRUCTION COMPANY, INC. TO PERFORM FINAL DESIGN AND CONSTRUCTION SERVICES FOR RENOVATIONS AND ADDITIONS TO GEORGE WASHINGTON HIGH SCHOOL, IN ACCORDANCE WITH VIRGINIA CODE §56-575.16(5).

WHEREAS, as a part of the school bond referendum held on November 2, 2021, construction projects are planned for both George Washington High School and G.L.H. Johnson Elementary school; and

WHEREAS, pursuant to Virginia Code §56-575.16(5) City Council is required to approve the Comprehensive Agreement between the Danville School Board and English Construction Company, Inc. to perform final design and construction services for renovations and additions to George Washington High School.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that it hereby approves and authorizes the Comprehensive Agreement between the School Board of the City of Danville and English Construction Company, Inc. to perform final design and construction services for renovations and additions to George Washington High School, in accordance with Virginia Code § 56-575.16(5).

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2908

New Business E.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Department of Criminal Justice Services ARPA Law Enforcement Technology Grant

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 01/17/2023

Final Adoption: 02/07/2023

SUMMARY

Dispatch Center with Real Time Crime Center as a back up to the City of Danville's Main Dispatch Center.

Establishing a physical Real Time Crime Center that contains two full-service Computer Aided Dispatch (CAD) stations and work stations to monitor real-time video feeds, is the cornerstone of this project.

In the design and construction of our new police department headquarters building, staff anticipated the need for a Real Time Crime Center and 911 Dispatch Center, and created space to locate these assets at some future point. This grant opportunity will allow us to stand up these resources and quickly begin leveraging them in improving our response to crime. Additionally, the two full-service CAD stations will serve as a back-up to our current Emergency Communications Center, which does not have this redundancy within our jurisdiction. Currently, if the City of Danville Emergency Communications Center goes down, our roll-over location is located over 20 miles away in an adjoining jurisdiction. The co-location of a 911 Dispatch Center with the Real Time Crime Center builds our capacity to communicate and respond to crime with real-time information, especially in critical incidents, special events and planned operations.

The cost of this part of the project this \$434,890.

Forensic Technology Inc Integrated Ballistic Identification System (IBIS) NIBIN Cartridge Cases Acquisition and Triage Package.

IBIS solutions provide timely actionable intelligence for the investigation of firearm-related crimes, which has contributed to the arrest of thousands of criminals. IBIS uses specialized 3D microscopy to capture the unique markings left by firearms on fired bullets and cartridge casings. The powerful IBIS correlation algorithms reveal the most likely matches in IBIS networks representing millions of bullets and cartridge casings. A match found in IBIS is often sufficiently apparent to provide an investigative lead, without having access to the physical evidence.

Forensic Technology Inc Integrated Ballistic Identification System (IBIS) NIBIN Cartridge Cases

Acquisition and Triage Package capabilities allow for the sharing of vital information. Because criminals move from jurisdiction to jurisdiction, IBIS has been designed to automatically share ballistic evidence across local, regional, and national networks. IBIS is the backbone of the National Integrated Ballistic Information Network (NIBIN) providing a valuable database of ballistic intelligence that can help link firearm crimes nationwide. NIBIN links crimes more quickly, generates investigative leads that would otherwise not have been detected, shares intelligence across jurisdictional boundaries, and gives prosecutors admissible evidence to corroborate witness testimony. The Danville Police Department and agencies in this region currently submit their asings to the Virginia Department of Forensic Science's Western Lab in Roanoke, Virginia. The turnaround for submission and results is anywhere from 60 days to 120 days. This technology will allow us to decrease the turnaround on submissions and have results from 24 hours to 48 hours. In addition, all of the agencies in this region will have access to this resource as well.

The cost of this part of the project is \$170,246.

Fusus Real Time Crime Center software streamlines Emergency & Incident Management, by fusing all the community's video assets into a single platform. The software enables Real Time Crime Centers to efficiently gather intelligence. The product provides first responders with the tools to efficiently monitor and rapidly respond to evolving situations.

Fusus Real Time Crime Center software's Artificial Intelligence capabilities enable smaller teams of law enforcement personnel to cover more ground. It allows agencies to maximize resources and work more intelligently. It enables officers in the field to transmit their location. They can send panic alerts, text alerts and send/receive images to communicate directly with the command center. It saves time and enables investigations by creating a map of all the public and private security cameras in a location. The fususOPS app is available via iOS or android compatible devices.

The cost of this part of the project is \$150,000.

RECOMMENDATION

It is recommended that City Council adopt the attached Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Anticipating Revenues in the amount of \$741,024 from the Department of Criminal Justice Services and appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2023 - _____._____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM VIRGINIA DEPARTMENT CRIMINAL JUSTICE SERVICES ARPA LAW ENFORCEMENT TECHNOLOGY GRANT IN THE AMOUNT OF \$741,024 AND APPROPRIATING SAME.

WHEREAS, the City of Danville has been awarded a grant from the Virginia Department of Criminal Justice Services ARPA Law Enforcement Technology Grant in the amount of \$741,024; and

WHEREAS the funding will used to establish a Real Time Crime Center with a backup 911 Dispatch Center and purchase a NIBIN Integrated Ballistic Identification System; and

WHEREAS the grant does not require in-kind matching funds.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2023 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenue to anticipate the receipt of funds in the amount of \$741,024 from the Virginia Department of Criminal Justice Services ARPA Law Enforcement Technology Grant, such revenue and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
DCJS ARPA Law Enforcement Technology Grant	61838000-48060	<u>\$741,024</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
DCJS ARPA Law Enforcement Technology Grant	61838999-50	<u>\$741,024</u>

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

BE IT FINALLY ORDAINED, that all other accounts and provisions of the Fiscal Year 2023 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

City Attorney

Council Letter

City of Danville, Virginia



CL-2900

New Business F.

City Council Regular Meeting

Meeting Date: 01/17/2023

Subject: Litter Control Grant - Fiscal Year 2023 Appropriation

From: Richard Drazenovich, Public Works Director

COUNCIL ACTION

First Reading: 01/17/2023

Final Adoption: 02/07/2023

SUMMARY

Each year, the City of Danville is awarded a grant from the Virginia Department of Environmental Quality for litter prevention and recycling program activities. The awarded grant amount for fiscal year 2023 is \$14,536. The funds are placed in a Special Grant Fund and appropriated annually to continue the City's litter prevention and recycling activities.

The Litter Prevention and Recycling Grant is used to promote recycling and to provide material and supplies for educational programs and litter collection. The funds can be used to conduct educational programs, purchase trash receptacles and other small supplies and materials necessary, including equipment and solid waste disposal fees associated with voluntary cleanups.

RECOMMENDATION

It is recommended that Council approve the attached ordinance appropriating funds from the Litter Control and Recycling Grant.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2022-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO ANTICIPATE GRANT FUNDS FROM THE COMMONWEALTH OF VIRGINIA FOR LITTER CONTROL AND RECYCLING EFFORTS IN THE AMOUNT OF \$14,536 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the fiscal year 2023 budget appropriation ordinance be, and the same is hereby amended by increasing revenues to the Special Grants Fund from the Litter Control and Recycling Grant for the purpose of paying for equipment, materials, and supplies, such revenues and appropriating to be within the Special Grants Fund and to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid: Litter Control Grant	60119000-47420	<u>\$14,536.00</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Litter Control	60119999-50	<u>\$14,536.00</u>

BE IT FURTHER ORDAINED, that all other accounts and provisions for the fiscal year 2023 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