

February 7, 2023

A Regular Work Session of the Danville City Council convened on February 7, 2023 at 8:42 p.m. in 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, Vice Mayor Gary P. Miller, Sherman M. Saunders, and J. Lee Vogler, Jr., (8). Madison J.R. Whittle was absent. (1)

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

Mayor Jones presided.

MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Mayo, Minutes of the Special Work Session held on November 29, 2022, Regular Work Session held on December 6, 2022 and Regular Work Session held on January 3, 2023, were approved as presented. Draft copies were distributed to Council Members prior to the Meeting.

PROGRAM UPDATES

Discussion of City Council Rules of Procedure

City Attorney Clarke Whitfield explained it had been awhile since Council Procedures were reviewed. There were a couple things that needed to be pointed out to Council, that were adopted in July 2019, which had not been instituted, and there were a few items he was suggesting changes to; he has provided handouts to Council. Mr. Whitfield explained back in 2019 Council adopted these procedures by resolution, including that individual speakers under Communications would get three minutes and groups would get five minutes. Council has been following the previous rule of five minutes for individual speakers and ten minutes for groups. Mr. Whitfield suggested if Council did not want to go by the Procedures to let him know. Mayor Jones asked Council Members if they were in favor of three minutes or five minutes for individuals. Mr. Saunders reminded Council that the Chair does have prerogatives regarding speakers.

Mr. Whitfield noted Item D of the Procedures called for a 2/3 vote of Council to allow anyone to have extra time; he thought that should be stricken to go along with what Mr. Saunders said, and amend that to say the Chair has the prerogative to give up to an additional sixty seconds to a speaker. Vice Mayor Miller noted his agreement, it was too cumbersome to stop the meeting and take a vote. Dr. Miller stated at school board meetings, citizens do not have to sign up before the meeting, they sign up when they come into the meeting; they get to address the Board in the order that they sign up. Mr. Whitfield noted he would cover that item last. Mr. Whitfield noted he was not putting the three and five minutes in the Procedures, they were already in there, and wanted to know if that was something Council wanted to change. Council Member Buckner noted he would like to keep it at three minutes.

Mr. Whitfield stated one of the other things Council voted on in 2019 was to prohibit the promotion of private business ventures. A tremendous number of people were coming forward promoting their business; that was prohibited by Council rules. Reverend Campbell noted he did not see anything wrong with that. Mr. Vogler stated he has had a lot of citizens bring that up, people who were coming down and plugging their business. There were times when it was a certain thing the City was involved in, but it was a little amateurish to leave it open for anybody to come down. Council had a policy that prohibits that and they probably should enforce it. Mayor Jones noted

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some of them were coming to Council asking for support and money. Mr. Whitfield noted one example would be from this evening, Kenny Lewis came to Council, that was not a private person; commercials for private businesses were prohibited by the rules. Mr. Vogler noted the policy should be businesses cannot come down and promote themselves; if a Council Member during their time at the end wanted to yield their time to a citizen they could. Reverend Campbell noted he did not think it was fair, some people do not know council members; if a person wanted to come up and say they were opening up a business or doing something in the area, he was for that.

City Manager Ken Larking stated it was his understanding that the best practice for most local governments was to not allow "commercials" to be brought up during public meetings. What will end up happening, if Council let it happen, there were hundreds of businesses in the community and if they feel like they can do this, he believed Council will be overrun with people and suggested that Council not allow it. Council has to get onto the business of serving the community, and actions of Council.

Dr. Miller noted ribbon cuttings were different, they were usually through the Chamber of Commerce or the River District Association, and thought it was fair, if they had a ribbon cutting, Council could acknowledge it, but they should not allow private businesses to come to council promoting their businesses. Mr. Vogler noted for a lot of the meetings for the past year or so, Council was going an hour or so before they get to the business part of the meeting; Council needs to find ways to expedite, or condense items or make it more efficient. Mr. Vogler noted he liked the ideas the City Attorney was suggesting and thinks Council should follow them.

Mayor Jones questioned Council on their preferences and noted the first item was the three and five minutes which was in Council Procedures, to enforce this. Mr. Whitfield stated the second item was eliminating the 2/3 vote to allow speakers to continue, and to give the Chair the discretion to allow up to another sixty seconds. Council noted they were in favor of these two items. Mr. Saunders noted the Chair does need the prerogative to decide to give a speaker more time.

Mr. Whitfield explained the two things he was proposing was to change the Agenda order, and move the Consent Agenda to after Special Recognitions, which has been Council's practice, and move Communications from Visitors to the last item before Council Communications. Council agreed to these changes.

Mr. Whitfield stated his last item, which a lot of localities do, was to have citizens sign up in order to speak before Council. He was proposing that citizens sign up by the Friday before the next meeting; they will be able to sign up on the website or call in. The Mayor will have a list of people who were coming in to speak, and will call on them to speak for their three minutes. Mr. Vogler noted most localities do it this way; does the Mayor still have the prerogative if someone comes up and he wants to allow them to speak, and Mr. Whitfield noted he would have to put that in the rules. Dr. Miller noted he did not like it; at School Board meetings, people can sign up right before the meeting, with maybe cut off an hour before the meeting begins. After further discussion, Council noted they were in favor of sign-ups for Council speakers, by the Friday prior to the meeting, with the Chair having the prerogative of adding speakers.

ECONOMIC DEVELOPMENT UPDATES

Director of Economic Development Corrie Bobe noted she placed the new annual Virginia Visitor Guide at each Council Member's seat; on page 136 there was a two page spread about Danville and Pittsylvania County, purchased and designed through the City's Economic Development. It was the second year the region has been included in the statewide visitor guide. Ms. Bobe noted

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the City was close to finalizing the new tourism brand and plans to launch that in May; staff will provide dates and more information related to that launch soon.

CLOSED MEETING

At 9:14 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 or consideration of the acquisition and/or disposition of real property for a public purpose where discussion in an open meeting would adversely impact the bargaining position of the City as permitted by Subsection A(3) of Section 2.2-3711 of the Code of Virginia, 1950 as amended, and more specifically to consider a discussion regarding the sale and/or potential purchase of specific parcels of property for use by prospective industrial, commercial, and mixed use projects looking to locate in the City; and an Economic Development discussion and update concerning a prospective business or industry where no previous announcement has been made and/or the expansion of an existing business or industry where no previous announcement has been made as permitted by Subsection (A)(5) of Section 2.2-3711 of the Code of Virginia, 1950, as amended and more specifically to consider: an update on multiple prospective commercial, mixed use, hospitality, and industrial projects considering locating within the City and/or locating within the region in cooperation with the City's regional partners.

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

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

Upon unanimous vote at 9:36 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

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 Mayo and carried by the following vote:

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

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MEETING ADJOURNED AT 9:37 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

DRAFT