



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

May 16, 2023

7:00 PM

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS:	James B. Buckner	Dr. Gary P. Miller, Vice Mayor
	L.G. "Larry" Campbell, Jr.	Sherman M. Saunders
	Bryant Hood	J. Lee Vogler, Jr.,
	Barry P. Mayo	Madison J. Whittle

STAFF:	Ken F. Larking, City Manager	W. Clarke Whitfield, Jr., City Attorney
	Earl B. Reynolds, Jr., Deputy City Manager	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, who have signed up to speak, 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, and shall have three uninterrupted minutes. A representative of a group may have up to five 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 RECOGNITION

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.

PUBLIC HEARING

- A. Consideration of Approval of Minutes from Regular Council Meeting held on April 18, 2023.
Council Letter Number CL - 532.
Consideration of Approval of Minutes from Regular Council Meeting held on April 18, 2023.
- B. Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Fund Pay Plan Implementation and Support City Operations.
Council Letter Number CL - 509.
An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenues from Business and Occupancy Licenses to Fund Pay Plan Implementation and Support City Operations for an Appropriation in the Amount of \$600,000 and Appropriating Same.

FINAL ADOPTION

OLD BUSINESS

- A. Consideration of the Fiscal Year 2024 Danville Public Schools Budget.
Council Letter Number CL - 452.
A Resolution Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2024.

NEW BUSINESS

- A. Review of General Fund Financials as of April 30, 2023.
Council Letter Number CL - 388.
- B. Consideration of Extending a Permanent Ambulance Operator's Permit to Fab's Family Medical Transport.
Council Letter Number CL - 547.
 - 1. Public Hearing
 - 2. An Ordinance Granting an Ambulance Operator's Permit to Fab's Family Medical

Transport.

- C. Consideration of the Release of an Unused Electric Easement on Berry Hill Road.
Council Letter Number CL - 490.

A Resolution Authorizing the Abandonment of an Unused City Easement Across Property in Pittsylvania County in Order to Facilitate the Development of Solar Energy Installations upon the Same Property.

- D. Consideration of Funding Requests from Danville-Pittsylvania Community Services.
Council Letter Number CL - 533.

Consideration of Authorizing and Executing a Memorandum of Understanding and Approval of a Contribution Towards the Renovation of The New DPCS Crisis Center on Piney Forest Road with Danville Pittsylvania Community Services.

- E. Consideration of Fee Changes Effective July 1, 2023.
Council Letter Number CL - 549.

1. Public Hearing

2. An Ordinance Amending and Establishing and Increasing Certain Fees of the City of Danville Effective July 1, 2023.

FIRST READING

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.

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 - 532

CONSENT AGENDA A.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Approval of Meeting Minutes

From: Susan DeMasi, City Clerk

COUNCIL ACTION

Consideration of Approval of Minutes from Regular Council Meeting held on April 18, 2023.

Attachments

1. Meeting Minutes
-

April 18, 2023

The Second April meeting of the Danville City Council was held on April 18, 2023, 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, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

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

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Miller gave the Invocation followed by the Pledge of Allegiance led by Boy Scout Troop 300.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Proclamation: Lawrence G. Campbell, Sr., Day
Presented to: Council Member L.G. "Larry" Campbell, Jr.

Mayor Jones recognized Council Member Campbell and asked that he, his daughter, and grandson come to the podium, and presented Council Member Campbell with a proclamation in honor of his father, the late Apostle Campbell. Council Member Campbell thanked the Mayor, fellow colleagues, City Manager, and Deputy City Manager, stating he has lost his mentor. He was honored to stand there today and say thank you to the City of Danville. Rev. Campbell thanked Chief Booth, for police service for those occasions, and to the community for the food, care, and love for a great man. The fight was not over, and they must continue to move forward. Rev. Campbell noted he was honored to stand there on behalf of the Campbell family, to the City of Danville, and say thank you; words could not express how he felt.

City staff and school board members expressed their condolences to Council Member Campbell and his family. Each spoke of their personal experiences with Apostle Campbell, their gratitude for how he helped to shape the city, the community, and how everyone was better for having known him during his lifetime. His legacy will carry on, through his family, and those who have been blessed to know him. They recounted the sermons and inspiration that he passed on, his love for God and his dedication to others made him a great friend to all. Mayor Jones stated that he wanted Council Member Campbell, on his return, to hear all the accolades shared by Council and staff about his father. Through this situation there was something that Rev. Campbell had said that he will never forget, every time they talked, Larry has told him "we are better together". Council Member Campbell thanked everyone so much for their kind words.

Presentation: Danville Rotary Club
Presented by: Bill Harville, Jack Morning, and Dan Angel

Mr. Harville offered the Danville Rotary Club's condolences to Council Member Campbell. Mr. Harville spoke about the Rotary Club's history of partnering with the City of Danville, especially with Parks and Recreation, and they were very familiar with the proposed plans for the Riverfront Park. They have had the privilege of occupying that space over the past seven years with their Field of Honor display of American flags between June 14 and July 4. Mr. Harville explained they

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came here tonight to present the City with a check in the amount of \$50,000 for the establishment of the new Riverfront Park. Mayor Jones and Council thanked Danville Rotary for the donation.

MEETING MINUTES

Upon **Motion** by Council Member Campbell, and **second** by Council Member Mayo, Minutes from the Regular Council Meeting held on March 21, 2023, were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

Review of General Fund Financials as of March 31, 2023.

Chief Financial Officer Michael Adkins gave a review of the General Fund financial results through the end of March; that was nine months into the fiscal year, or 75% complete. Revenues continue to perform well and they have received \$82.8M, 67% of the budget and an increase of \$5M over last year at this time, primarily from interest income. Local consumer taxes were outperforming budget and up from last year; overall, the City has exceeded last year by \$2.5M. Sales tax was \$8.6M, up \$500,000 over last year and slightly ahead of budget at 76%. Meals tax was at \$8.2M, up \$868,000 over last year and currently tracking ahead of budget at 76%. Business Licenses have done very well this year, the City received a total of \$6M; it has already exceeded budget at 109%, up \$586,000 over last year. Some of the larger companies can choose to pay their installments quarterly, so the City will still be collecting some business licenses in June. Lodging was \$1.9M, an increase of \$405,000 over last year and 65% of budget. All state revenues were at 75% of budget as expected with no concerns. On the Expenditure side, overall, the City was at 79% of budget and they always runs a little ahead of 75% because of debt services that were paid twice a year, once in September and in March, therefore debt services were 100% paid. Departmental Spending was at 71%, trailing budget and typical. Under non-departmental costs, the biggest one was group health insurance, and as mentioned in the past, the City was running ahead of budget at 87%. Also mentioned in previous months, the employee premium went up January 1st, and the City was just beginning to see that come in. That will help offset those costs as they go through the end of the year; however, it was all based on claims and they will have to wait and see how that turns out. The proposed budget for next year had a \$1.5M increase to that line item and Interest income for this year should balance that overage. The fiscal audit for this year was delayed due to staff turnover; this has been completed and finalized. The audit report was received today, and Mr. Adkins noted he was happy to report that there were no findings or audit adjustments. A copy has been linked on the City's website.

Council Member Campbell asked if there would be more in reserves at the end of the fiscal year, and Mr. Adkins stated that was hard to say right now. The Fiscal Year 2023 budget did call for a withdrawal from the fund balance of about \$1.8M - \$1.9M. They have to wait to get all revenues in, make their year-end adjustments and see how the spending turns out. Rev. Campbell asked the City Manager if they can increase the reserves, it would increase the City's credit rating. City Manager Ken Larking stated that was one of the criteria that credit rating agencies look at when they were providing ratings. Danville has a fund balance policy, which they exceed, and that was looked on favorably; there were other aspects they looked at as well. One challenge the City will have next year was the increased revenues coming in from the casino resort, which will increase the base budget amount and more will have to be placed into reserves. Mr. Adkins stated that Fiscal Year 2022 ended with \$34M in unassigned fund balance; the policy for that year said it needed to be \$22M. With the increased revenues for the next budget, the policy will say that they need at least between \$27 and \$28M in fund balance.

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Council Member Campbell questioned if they can increase that policy, they will have a cheaper interest rate and it will put the City at a higher level. Council Member Vogler stated that he was in agreement with Council Member Campbell, and he had stated in previous meetings, he hoped in the near future Council would be able to have a discussion to Rev. Campbell's point, and set a policy that will take a percentage of the annual casino revenue to place into the reserve fund so that the City has a dedicated revenue source that would go into that reserve fund for the reasons mentioned. Council Member Saunders stated that the City was growing; the fund source was also increasing, does that affect the bond rating as well, and Mr. Adkins explained as the City Manager stated, that was one thing they were graded on when they receive their bond rating and they do score very high in that category. The only thing really holding the City back now was their local economy, and their average income per household, those types of statistics; that will improve with economic development. Staff will push for an upgrade in their rating just as soon as they can.

Vice Mayor Miller noted his agreement that they need to put a little of this aside, a percentage of this revenue, because there may be extra funds needed, or employee pay raises. Mr. Larking stated he appreciated Council Member Saunders' previous comment. City Council deserved a lot of credit for the financial situation they were in by adopting budgets, policies and procedures, by investing in economic development over the years and providing the staff the resources to implement those strategies in a way that has made a difference in the community and has helped to boost the economy as the finance director has pointed out.

Council Member Campbell stated they know there were a lot of school kids being shot, would hope they can look at that constructively and make sure their schools were safe. Do they need to upgrade that security a little bit. Mayor Jones referred Rev. Campbell to the current budget because that was one of the top priorities, and there were extra monies going to the schools.

CONSIDERATION OF A REQUEST TO VACATE A RIGHT-OF-WAY ON PINEY FOREST ROAD

Mayor Jones opened the floor for a Public Hearing regarding vacation of a Right of Way. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 11, 2023 and April 17, 2023.

Mayor Jones recognized attorney R.J. Lackey representing the applicant who was there to answer any questions. Council Member Whittle asked exactly where this was, and Mr. Lackey stated the address was 441 Piney Forest Road. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-04.10

AN ORDINANCE VACATING APPROXIMATELY 2,248 SQUARE FEET OF PUBLIC RIGHT-OF-WAY ON PINEY FOREST ROAD.

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

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

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CONSIDERATION OF AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE FOR APPROPRIATION OF THE DANVILLE REGIONAL FOUNDATION GRANT.

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

ORDINANCE NO. 2023-04.11

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$200,000 AND NO LOCAL MATCH FOR A TOTAL GRANT IN THE AMOUNT OF \$200,000 AND APPROPRIATING THE SAME.

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE FOR AN APPROPRIATION OF THE COMMUNITY FLOOD PREPAREDNESS FUND (CFPF) AGREEMENT

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

ORDINANCE NO. 2023-04.12

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE DEPARTMENT OF CONSERVATION AND RECREATION IN THE AMOUNT OF \$331,740 AND LOCAL MATCH IN THE AMOUNT OF \$36,860 FOR A TOTAL GRANT IN THE AMOUNT OF \$368,600 AND APPROPRIATING THE SAME.

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

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Chase Murphy, 592 Jenny Lane, who expressed his condolences to Council Member Campbell, and spoke against the RV park due to safety and pollution concerns.

Mayor Jones recognized Shawn Moultrie, 195 Arey Lane, who expressed his condolences to Council Member Campbell. Mr. Moultrie stated the government exists to serve its citizens. City Council works for them, they have a voice. He stated that he was not against having an RV park, but he was against putting it in their neighborhood; their community. They want Council to consider their concerns as a group.

Mayor Jones asked the City Manager if there were any details on the RV park since nothing has come before Council, and Mr. Larking stated there was an agenda item for the Planning Commission that was pulled recently, and believed it will be under consideration for a future date with the Planning Commission. There was a public hearing that was part of that meeting as well as notification to the neighbors.

Judy Barksdale withdrew her request to speak.

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Mayor Jones thanked everyone from Jenny Lane to for coming out tonight. Council Member Campbell asked if a traffic study would be completed, and Mr. Larking noted that a traffic study would be done.

Mayor Jones recognized Tom Collins, 909 Poplar Trace, who expressed condolences to Council Member Campbell, and thanked Council for the positive impact their decision to raise pay will have on the employees and the community.

COMMUNICATIONS

Mr. Larking thanked Michael Adkins for filling in for him last week, stating he feels blessed to have strong and capable people in these positions at the department head level. As a community and as an organization they were blessed for having such strong and capable people in these positions and thanked City Council for providing staff the resources to do their jobs well.

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

Council Member Hood stated this past weekend he had the pleasure of joining the Wendell Scott Foundation for the NASCAR truck race in Martinsville; it gave him a whole different outlook on NASCAR. They have a driver by the name of Rajah Caruth who was driving at 20-years-old representing Danville in that race series. Mr. Hood noted his agreement with a quote that was said earlier that he thought was appropriate for all sectors, "We are better together."

Vice Mayor Miller welcomed the City Manager back. Dr. Miller noted last weekend he attended an event that celebrated the 102nd anniversary of the Almagro Masonic Lodge and had an excellent time. Dr. Miller once again expressed his condolences to Council Member Campbell.

Council Member Saunders asked his former coworker Bill Smith to stand, stating Bill has been in the Boy Scouts for 34 years and was also a veteran. Mr. Saunders asked Mr. Moultrie if he was related to Evette Moultrie; Mr. Moultrie noted it was his aunt, she passed away in the 9/11 attacks. Mr. Saunders noted when he was a bus driver, Evette rode his bus, and noted his condolences to the Moultrie family for their loss. Mr. Saunders discussed memories of his brother, and Bishop Campbell and stated to Council Member Campbell, his father's memory will never die because his memory will live on forever.

Council Member Vogler stated it was good to have Council Member Campbell back in chambers. Mr. Vogler noted he attended the STEAM event earlier tonight with his son and they had so many great things going on from organizations in the school system, bounce houses and dunk tanks. It was a great event, and he would like to thank everyone who helped to do that for the kids. Mr. Vogler stated he would like to thank this team for the phenomenal group they have who work tirelessly and no one ever sees; it is something he was continuously in awe of. They have the greatest mayor and this was the best City Council; they were just getting started.

Council Member Whittle questioned at the last meeting held was there an ordinance for tents being placed on property. The City has had issues with homelessness and people panhandling. There were people who showed up from different groups and he was curious where they were with that because it seems to be a little out of control. Mr. Whittle noted he would love to sit in on a meeting or two to chime in.

Mayor Jones stated that Larissa Deedrich at the Danville Housing Authority has been working on that and Mr. Larking stated Ms. Diedrich, Mr. Reynolds, himself and others in different

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organizations have been meeting with partners to develop a plan. Someone has already been hired to develop a plan to help people get out of the situation that they were in. It was a huge challenge across the country as well as here and they want to do it the right way, the most effective and compassionate way for their citizens.

Council Member Buckner stated there were a lot of good things going on in the community for those looking for things to do. Mr. Buckner noted he received a couple of emails this week and two of them stand out to him: the Knights of Columbus 2023 Wine Festival was Saturday, April 29 at the Community Market from 3pm to 10pm, and the Cinco de Mayo street festival was May 5 from 5pm to 10pm on the 500 block of Craghead Street. Mr. Buckner noted they were glad Rev. Campbell was back, and "We are better together."

Council Member Campbell thanked everyone and the Mayor for recognizing Apostle Campbell with a day; he appreciated it more than they can imagine. On behalf of Bibleway Cathedral and the Campbell family, thank you.

Mayor Jones recognized Chasta White and asked her to come forward to give citizens information about Make Danville Shine month during the month of May. Ms. White noted that Make Danville Shine would kick off on May 6. The expo will take place at the community market from 8am to 12pm; this was the kickoff of the Farmer's Market as well. There will be a lot going on that day and encouraged citizens to come out and show their support.

Mayor Jones recognized the Boy Scouts and thanked them for coming, and thanked everyone from Jenny Lane for coming before their Council, stating their concerns and for being here tonight. Mayor Jones noted, to the young people, they were about to embark on many celebrations; graduations, prom, and all types of parties. Please be safe; they want them all to be safe, celebrate themselves but when they were doing that and having cookouts, parties, and all the things that they were doing that they deserve, be safe. As Council Member Campbell stated, there was too much going on across the country and happening to young people.

Meeting adjourned at 8:21pm.

ATTEST:

MAYOR

CITY CLERK

Council Letter City of Danville, Virginia



CL - 509

CONSENT AGENDA B.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Fund Pay Plan Implementation and Support City Operations

From: Henrietta Weaver, Budget Director

COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenues from Business and Occupancy Licenses to Fund Pay Plan Implementation and Support City Operations for an Appropriation in the Amount of \$600,000 and Appropriating Same.

FINAL ADOPTION

SUMMARY

Revenues from business and occupancy licenses are anticipated to exceed previously budgeted amounts. The additional revenues will be allocated to contingency to implement the pay plan and support City operations.

BACKGROUND

The City's Fiscal Year 2023 Budget Appropriation Ordinance includes an estimate of revenues from business and occupancy licenses using the best information available. Due to the effect of market forces, actual receipts are expected to exceed previously estimated amounts.

RECOMMENDATION

It is recommended that the City Council adopt the attached ordinance amending the Fiscal Year 2023 Budget Appropriation Ordinance.

Attachments

1. Ordinance
-

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2023 - _____._____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM BUSINESS AND OCCUPANCY LICENSES TO FUND PAY PLAN IMPLEMENTATION AND SUPPORT CITY OPERATIONS FOR AN APPROPRIATION IN THE AMOUNT OF \$600,000 AND APPROPRIATING THE SAME.

WHEREAS, the City anticipates the receipt of an additional \$600,000 in business and occupancy license revenues to be used to provide funding for implementation of the pay plan and City operations; and

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 hereby is, amended by increasing revenues in the General Fund and appropriating same to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Business and Occupancy License	0100000-40530	\$ 600,000

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
General Fund Contingency	0199001-6997	\$ 600,000

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 - 452

OLD BUSINESS A.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of the Fiscal Year 2024 Danville Public Schools Budget.

From: Henrietta Weaver, Budget Director

COUNCIL ACTION

A Resolution Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2024.

SUMMARY

The Public Hearing for the Fiscal Year 2024 School Board Budget is scheduled for May 2, 2023. The City's Budget for Support of Schools includes \$25,365,776 for Support of Operations, and \$1,874,690 for Debt Service, for a grand total of \$27,240,466.

RECOMMENDATION

It is recommended the City Council approve the attached Resolution approving the Fiscal Year 2024 Danville Public Schools Budget.

Attachments

1. 452- CL Resolution School Board Budget
-

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2023- ____ - ____

A RESOLUTION APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2024.

WHEREAS, the School Board of the City of Danville presented to the Council its estimate of the amount of money needed for the support of the public schools of the City during Fiscal Year 2024 which estimate reflected total proposed expenditures in the amount of \$87,089,796; and

WHEREAS, the City shall contribute \$25,365,776 for School Operations and \$1,874,690 for School Debt Service for a total appropriation of \$27,240,466; and

WHEREAS, the City Council does not intend by this resolution to guarantee to the School Board of the City of Danville any contribution for support of schools in future fiscal years above that amount required by Virginia law for support of schools; and

WHEREAS, a brief synopsis of the proposed Budget of the School Board for Fiscal Year 2024 was duly published, and, after public notice duly given, a public hearing with respect thereto has been conducted by the Council, after due public notice thereof, and upon consideration of which it is now necessary and desirable to approve the same as prescribed by law.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia that, pursuant to Section 22.1-93 of the Code of Virginia, 1950, as amended, the attached budget of the School Board of the City of Danville for the Fiscal Year ending June 30, 2024 be, and the same is hereby, approved for educational purposes subject the above recited conditions.

Approved:

Mayor

Attest:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL - 388

NEW BUSINESS A.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Review of General Fund Financials as of April 30, 2023.

From: Michael Adkins, Chief Financial Officer

COUNCIL ACTION

A brief presentation on the General Fund financial results through February 28, 2023, will be given. Financial statements are included.

Attachments

1. Financial Statements
-



To: Ken F. Larking, City Manager

From: Michael L. Adkins, Chief Financial Officer

Date: May 8, 2023

Subject: Summary of Preliminary General Fund Financial Results for April 30, 2023

After completing ten months of the fiscal year, revenues are performing well and are exceeding the previous year. As of April 30, General Fund revenues were \$91,371,401. This represents 74% of our FY 2023 budget. This is an increase of \$6.5 million over April 30, 2022. Apart from small decreases in permits, fines, 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.

General Property Tax collections continue to perform well with 55% of the budgeted real estate tax realized at the end of April. We continue to see steady performance in the collection of delinquent real estate taxes this year with \$847,183 realized in the first ten months. This accounts for 94% of the current year budget. Personal property tax collections are tracking as expected with 51% collected as of April 30. The spring tax bills were mailed April 28th and will be due June 5, 2023.

Regarding local taxes, sales tax collections through April amounted to \$9,526,993 or 84% of budget, an increase of \$616,289 from last year. Meals taxes collected for the first ten months of the fiscal year amounted to \$9,155,623 or 85% of budget, an increase of \$913,743 from last year. Business Licenses realized through the end of April were \$6,282,879, an increase of \$760,332 from the prior year. Lodging taxes received as of April 30, were \$2,135,693 or 74% of budget, an increase of \$470,053 from the prior year. All other local tax revenue categories are tracking well with budget and are exceeding or comparable to the prior year at this point.

Expenditures through April 30 were \$108,217,091 or 82% of budget. This is an overall increase of \$11.4 million when compared to April 30, 2022. The increase in departmental expenditures of \$5.7M make up the largest part of this increase. This increase can be attributed to an overall increase in salary and benefits of \$1.7M due to pay-for-performance increases along with the minimum wage adjustment implemented in January, the timing of payments for maintenance service contracts within general government and an increase in public safety for workers' compensation claims, along with operating expenses related to the new police headquarters. The remaining increase was the result of increased budgeted transfers to the Capital Improvement Fund of \$2.1 million for the Riverfront Park Construction, and increased transfers to the schools of \$3.2 million.

Overall, General Fund expenditures exceeded revenues by \$16.8M at April 30, an improvement of \$2.8M from the deficit at March 31, 2023. Although this current imbalance is more than usual primarily due to timing of expenditures, a deficit is typical for much of the fiscal year in the General Fund because the timing of revenue recognition is not matched with expenditures. The next influx of revenue will occur in May and June when real estate and personal property tax bills are levied.

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

CITY OF DANVILLE, VIRGINIA

GENERAL FUND REPORT

83% OF YEAR LAPSED AS OF APRIL 30, 2023

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	\$ 20,751,329	56.14%		\$ 16,212,191	\$ 19,514,338
Other Local Taxes	34,079,500	28,994,095	85.08%		5,085,405	26,065,904
License Permits & Privilege Fees	283,330	446,656	157.65%		(163,326)	402,135
Fines & Forfeitures	299,600	158,868	53.03%		140,732	181,159
Revenue From Use Money & Property	696,940	2,396,759	343.90%		(1,699,819)	1,178,373
Charges For Services	3,389,630	2,525,814	74.52%		863,816	2,433,812
Miscellaneous Revenue	47,710	190,819	399.96%		(143,109)	183,624
Recovered Cost	8,504,451	6,812,990	80.11%		1,691,461	6,306,835
Non-Categorical Aid	5,528,740	4,453,514	80.55%		1,075,226	4,189,117
Shared Expenses (Categ. Aid State)	5,637,550	4,650,683	82.49%		986,867	4,416,199
Categorical Aid (State)	10,071,947	6,856,271	68.07%		3,215,676	6,243,858
Emergency Services (Federal)	27,020	-	0.00%		27,020	-
Categorical Aid (Federal)	-	9,435	0.00%		(9,435)	6,630
Transfers From Utilities/Other Funds	17,673,000	13,124,167	74.26%		4,548,833	13,784,530
TOTAL REVENUES	\$ 123,202,938	\$ 91,371,401	74.16%		\$ 31,831,537	\$ 84,906,514
EXPENDITURES:						
General Government Administration	\$ 13,430,514	\$ 10,941,736	81.47%	\$ 205,966	\$ 2,282,812	\$ 9,835,985
Judicial Administration	8,381,898	6,711,884	80.08%	33,016	1,636,998	6,187,063
Public Safety	36,983,081	28,184,619	76.21%	454,077	8,344,384	25,540,379
Public Works	5,102,747	3,942,133	77.26%	105,736	1,054,878	3,487,021
Health, Education, Welfare & Soc. Svc.	9,538,774	6,039,862	63.32%	58,791	3,440,121	5,571,663
Parks, Recreation & Cultural	5,842,651	3,971,093	67.97%	38,912	1,832,647	3,784,550
Community Development	2,642,827	1,656,504	62.68%	52,256	934,066	1,374,677
Non-Departmental	16,081,840	13,387,631	83.25%	1,424	2,692,785	12,072,595
Transfer to Schools - Operating	29,590,893	28,554,090	96.50%	-	1,036,803	25,353,240
Transfer to Capital Projects	3,147,000	3,145,000	99.94%	-	2,000	2,216,493
Transfer to Other Funds	1,867,930	1,682,538	90.07%	-	185,392	1,430,505
TOTAL EXPENDITURES	\$ 132,610,155	\$ 108,217,091	81.61%	\$ 950,177	\$ 23,442,887	\$ 96,854,171
Revenue over/(under) Expenditures		<u>\$ (16,845,690)</u>				<u>\$ (11,947,657)</u>
FUND BALANCE:						
Beginning Fund Balance 07/01/2022		\$ 46,401,528				\$ 47,090,495
Revenue over/(under) Expenditures		(16,845,690)				(11,947,657)
Ending Fund Balance 04/30/2023		<u>\$ 29,555,839</u>				<u>\$ 35,142,838</u>
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 4,939,091				\$ 15,839,330
Unassigned		<u>24,616,747</u>				<u>19,303,508</u>
TOTAL FUND BALANCE 04/30/2023		<u>\$ 29,555,839</u>				<u>\$ 35,142,838</u>

City of Danville, Virginia
Summary of Other Local Tax Revenues - PRE-CLOSING - UNAUDITED
For the period ending April 30, 2023

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 11,302,050	\$ 9,526,993	84.29%	\$ 10,115,880	\$ 8,910,704	88.09%
Business Licenses	5,430,000	6,282,879	115.71%	5,450,000	5,522,547	101.33%
Meals Tax	10,800,000	9,155,623	84.77%	9,471,320	8,241,880	87.02%
Utility Taxes	930,000	761,592	81.89%	940,000	728,663	77.52%
Vehicle License Fees	1,000,000	405,888	40.59%	1,000,000	335,037	33.50%
Bank Stock Tax	1,000,000	4,616	0.46%	940,000	4,902	0.52%
Recordation Tax	270,000	294,829	109.20%	200,000	288,066	144.03%
Hotel Motel Tax	2,885,080	2,135,693	74.03%	1,811,630	1,665,639	91.94%
Daily Property Rental Tax	12,370	19,787	159.96%	13,200	15,925	120.65%
Motor Vehicle Tax	200,000	194,833	97.42%	162,000	171,596	105.92%
DMV Fees	250,000	211,364	84.55%	260,000	180,946	69.59%
TOTAL	\$ 34,079,500	\$ 28,994,095	85.08%	\$ 30,364,030	\$ 26,065,904	85.84%

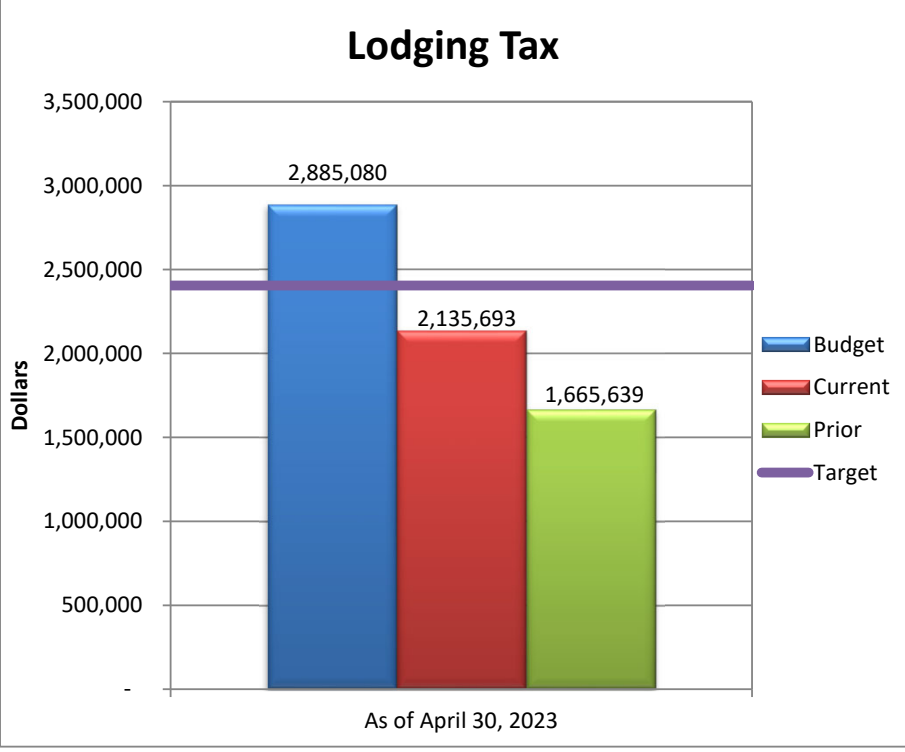
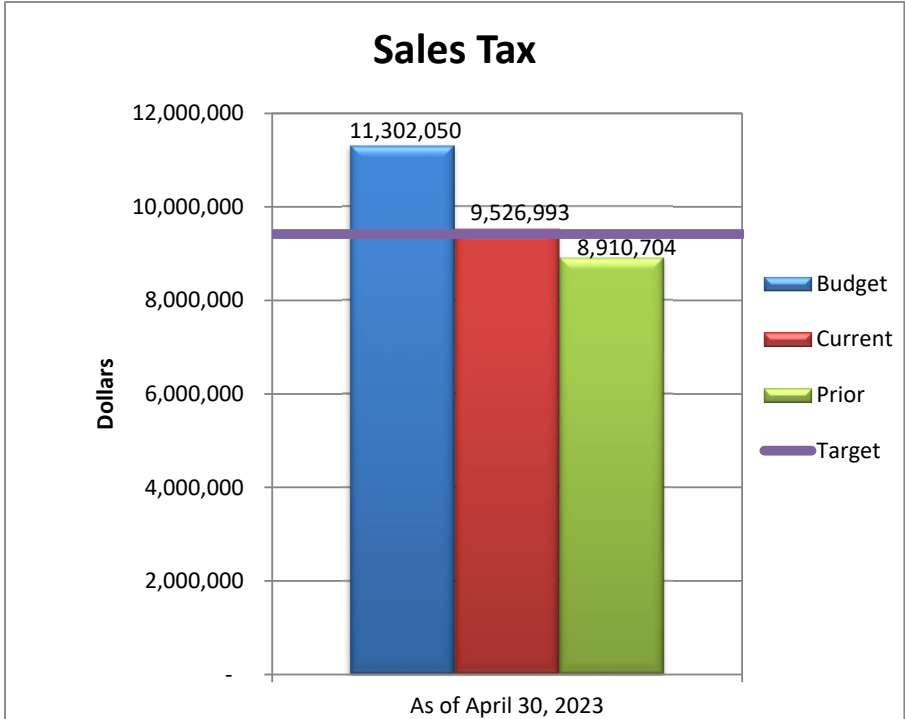
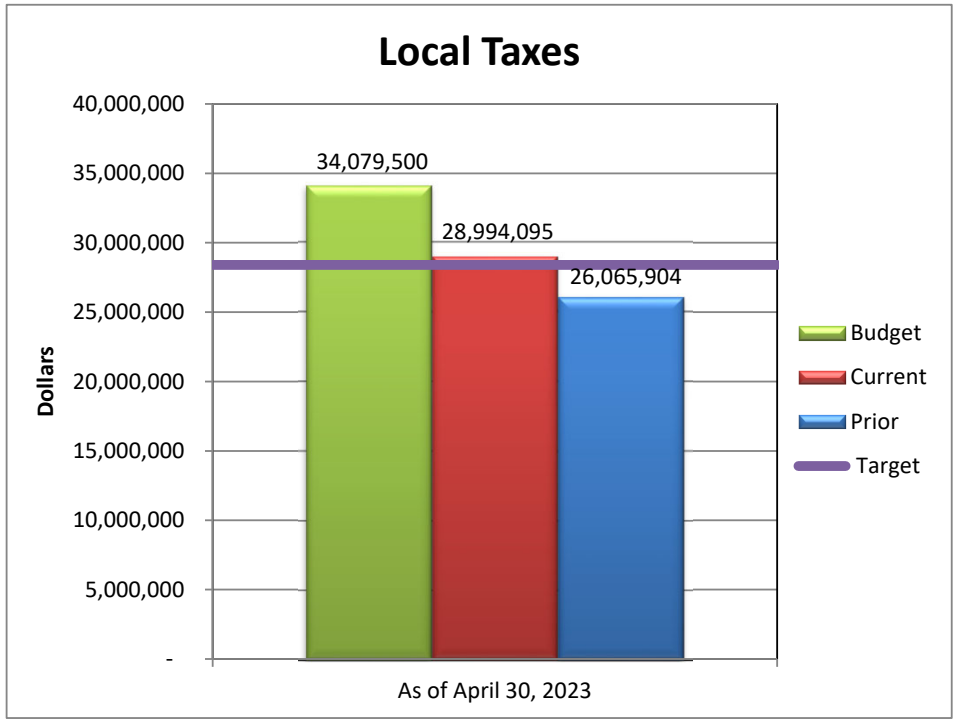
**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF APRIL 30, 2023**

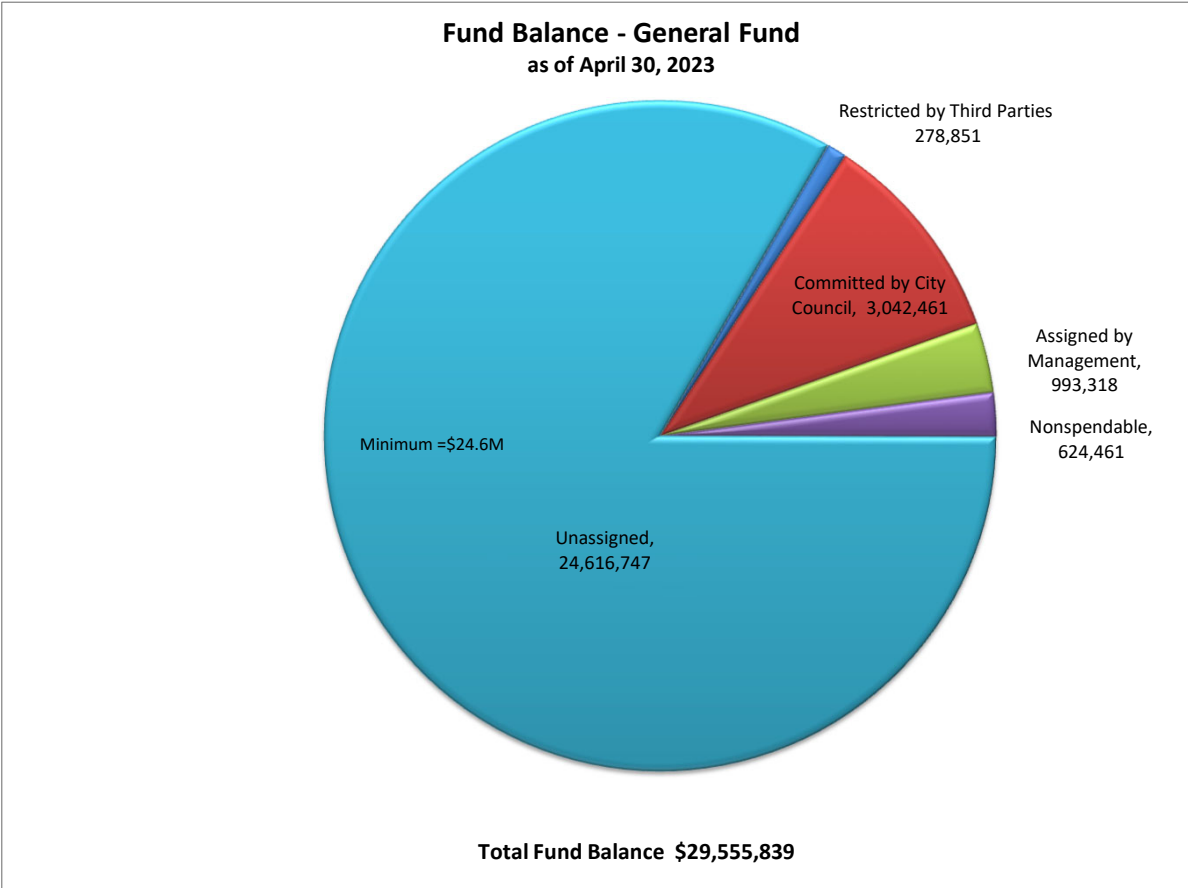
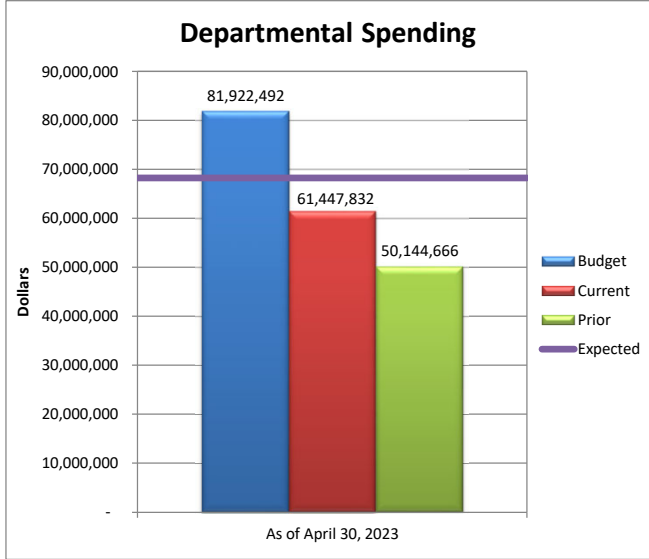
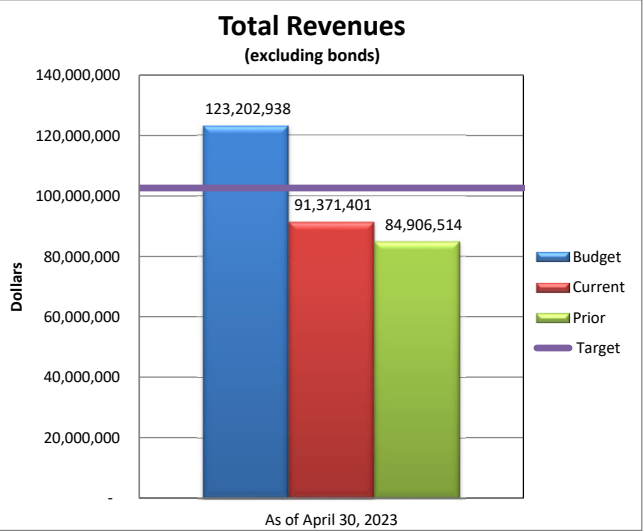
Beginning Total Fund Balance, July 1, 2022	46,401,528.32
Add: General Fund Revenues	91,371,401.04
Deduct: General Fund Expenditures	<u>(108,217,090.62)</u>
Ending Total Fund Balance, April 30, 2023	<u><u>29,555,838.74</u></u>

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	42,461.36
Committed to Schools	-
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	950,177.40
Nonspendable (Inventory and Prepaids)	624,460.72
UNASSIGNED	<u>24,616,747.34</u>
Total Fund Balance, April 30, 2023	<u><u>29,555,838.74</u></u>

Unassigned fund balance from above	24,616,747.34
Unassigned Minimum per policy (20% of General Fund Operating Revenues) based on FY 2023 budget	<u>24,640,587.55</u>
Current surplus (deficit) over (under) minimum	(23,840.21)





Council Letter City of Danville, Virginia



CL - 547

NEW BUSINESS B.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of Extending a Permanent Ambulance Operator's Permit to Fab's Family Medical Transport.

From: W. Clarke Whitfield Jr., City Attorney

COUNCIL ACTION

1. Public Hearing
2. An Ordinance Granting an Ambulance Operator's Permit to Fab's Family Medical Transport.

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 II, 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 Council, on March 21, 2023, issued a temporary sixty-day permit, which expires on May 17, 2023.

RECOMMENDATION

The Council's Ambulance Committee met on May 3, 2023 and recommends that Danville City Council approve a permanent Ambulance Operator's Permit to Fab's Family Medical Transport.

Attachments

1. Ordinance
-

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2023 - _____._____

AN ORDINANCE GRANTING AN 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 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 grant the applicant's ambulance operator's permit to provide ambulance service, subject to reasonable conditions, pending the determination by Council whether an ambulance operator's permit should be granted; and

WHEREAS, Council, therefore, concludes that a need exists, to authorize the applicant an extended 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 39-110 of the City Code that an ambulance operator's permit for Fab's Family Medical Transport, for ambulance service be, and is hereby, granted for a period of five (5) years from the date of this ordinance, expiring on May 15, 2028, 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 ambulance service only respond to and /or operate non-emergency calls from the hospital, nursing homes, general public, and doctors' offices.

7. 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.

8. 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.

9. Fab's Family Medical Transport shall provide an audited financial statement and profit and loss statement for 2023 within ninety (90) days after this date.

10. 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.

11. 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.

12. Fab's Family Medical Transport shall have at least one single-party telephone service for receipt and dispatch of ambulance and wheelchair services.

13. 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.

14. 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

Council Letter City of Danville, Virginia



CL - 490

NEW BUSINESS C.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of the Release of an Unused Electric Easement on Berry Hill Road.

From: Jason Grey, Director of Utilities

COUNCIL ACTION

A Resolution Authorizing the Abandonment of an Unused City Easement Across Property in Pittsylvania County in Order to Facilitate the Development of Solar Energy Installations upon the Same Property.

SUMMARY

City Staff is seeking approval to release an unused electric easement on Berry Hill Road to help facilitate development on the property.

BACKGROUND

The City holds an unused electric easement on Parcel No. 1366-97-0467 and Parcel No. 1376-15-5690 located on Berry Hill Road in Pittsylvania County. Utilities staff has determined that there is no current need for the easement and it is in conflict for future development. Staff is requesting approval to vacate the 1949 easement to allow for development of the proposed Dominion solar farm on Berry Hill Road.

RECOMMENDATION

Utilities staff recommends vacating the easement to allow for development at this property.

Attachments

1. Resolution
 2. Exhibit DB 306 P 165
 3. Deed of Vacation 1366-97-0467
 4. Deed of Vacation 1376-15-5690
-

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2023-_____._____

A RESOLUTION AUTHORIZING THE ABANDONMENT OF AN UNUSED CITY EASEMENT ACROSS PROPERTY IN PITTSYLVANIA COUNTY 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 two (2) parcels of real property located in Pittsylvania County identified as Parcel No.1366-97-0467 and Parcel No. 1376-15-5690 (the "Property"); and

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

WHEREAS, the owners of the Property wish for the City to vacate and abandon its unused easements 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 easements across the above-referenced Pittsylvania County Parcels, said easements identified in the attached Schedule "A"; and

BE IT FUTHER 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

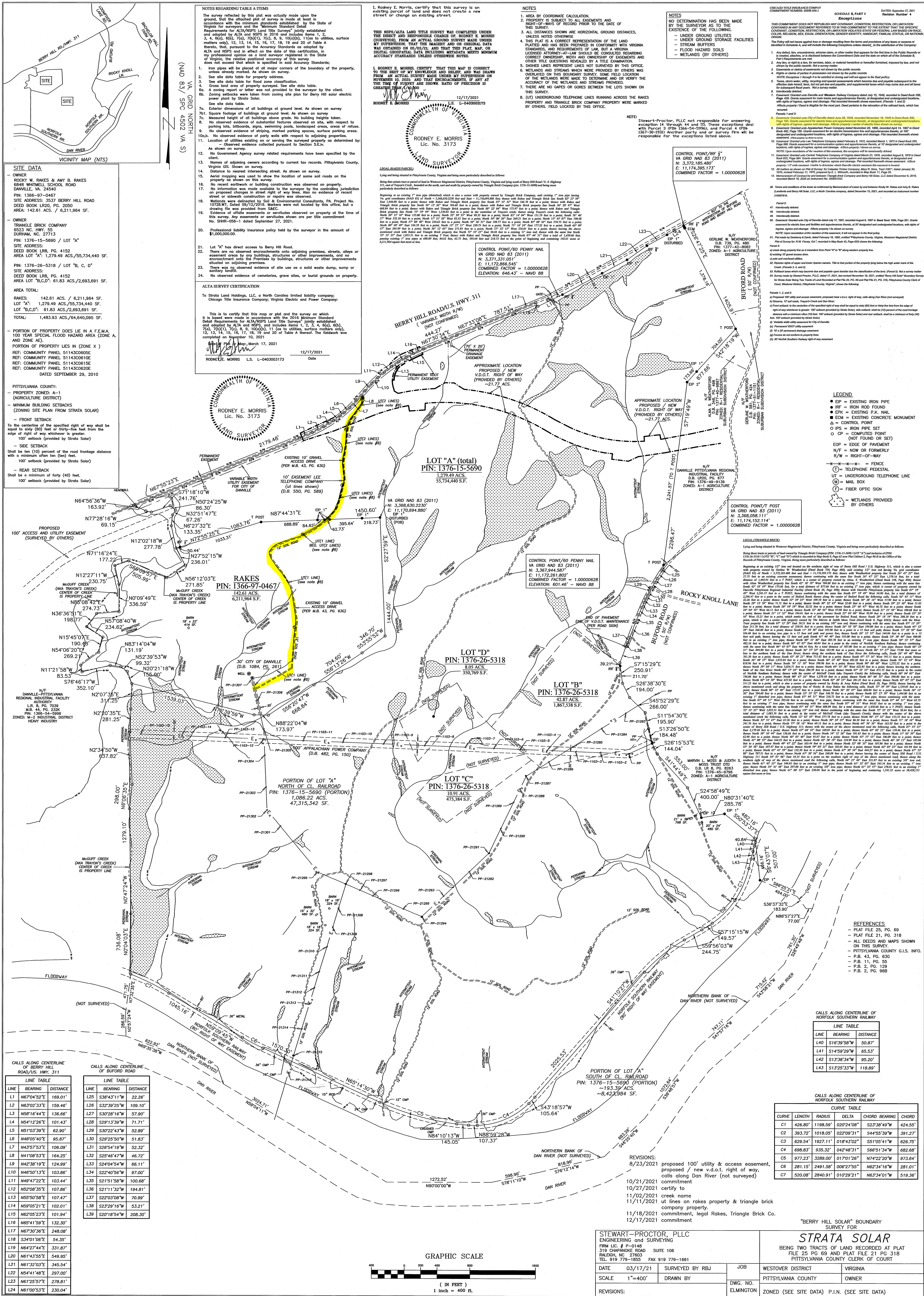
Approved as to
Form and Legal Sufficiency:

City Attorney

Schedule "A"

1. A permanent easement for electric lines and appurtenances thereto, with rights of ingress egress, and clearance, 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 June 28, 1949 in Deed Book 306, at page 165.
2. A permanent easement for electric lines and appurtenances thereto, with rights of ingress egress, and clearance, located in Pittsylvania County, Virginia upon the Property presently designated as Parcel ID #1376-15-5690, and presently owned by Virginia Electric & Power Company, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated June 28, 1949 in Deed Book 306, at page 165.

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.



Prepared by and return to:
C. Ryan Dodson, Esq. (VSB #90680)
City of Danville
P.O. Box 3300
Danville, VA 24543

*This deed is exempt from
Grantor's and Grantee's tax
pursuant to Va. Code § 58.1-
810(1).*

*Tax Map/Parcel ID #1366-97-0467
Title Insurance: None*

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 June 28, 1949 and recorded in the Clerk’s Office of the Circuit
Court of Pittsylvania County, Virginia in Deed Book 306, at page 165 (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: _____
KEN 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 **Ken 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
VSBS #90680

Prepared by and return to:
C. Ryan Dodson, Esq. (VSB #90680)
City of Danville
P.O. Box 3300
Danville, VA 24543

*This deed is exempt from
Grantor's and Grantee's tax
pursuant to Va. Code § 58.1-
810(1).*

*Tax Map/Parcel ID #1376-15-5690
Title Insurance: None*

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 VIRGINIA ELECTRIC &
POWER COMPANY, GRANTEE,**

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. 1376-15-5690 (the
“Property”), conveyed on June 28, 1949 and recorded in the Clerk’s Office of the Circuit
Court of Pittsylvania County, Virginia in Deed Book 306, at page 165 (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: _____
KEN 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 **Ken 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 - 533

NEW BUSINESS D.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of Authorizing and Executing a Memorandum of Understanding.

From: Earl Reynolds, Deputy City Manager

COUNCIL ACTION

Consideration of Authorizing and Executing a Memorandum of Understanding and Approval of a Contribution Towards the Renovation of The New DPCS Crisis Center on Piney Forest Road with Danville Pittsylvania Community Services.

SUMMARY

Judges Reynolds, Moreau, and Milam have requested that Danville - Pittsylvania County Community Services expand its substance abuse treatment program currently operating in both the City and County jails. To improve its crisis intervention services for the City and the County, DPCS has relocated this service to a new location on Piney Forest Road. The new location was formerly a branch bank operation, which required extensive renovations.

The City contribution will be taken from the City's Opioid Settlement Funding. Pittsylvania County has already agreed to an equal contribution and has identified the same source of revenue for its contribution.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to execute the attached MOU and authorize the appropriation of the City's contribution towards FY 23-24 program operations in the amount of \$75,820. The City contribution will be taken from the City's Opioid Settlement Funding.

Pittsylvania County has already agreed to an equal contribution and has identified the same source of revenue for its contribution.

Attachments

1. Resolution
 2. DPCS Memorandum of Understanding
-

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2023-____.____

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF DANVILLE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH DANVILLE PITTSYLVANIA COMMUNITY SERVICES AND PITTSYLVANIA COUNTY FOR THE DANVILLE-PITTSYLVANIA TREATMENT COURT.

WHEREAS, the City of Danville has received monies from the settlement of several lawsuits against Opioid manufacturers, distributors, and retailers.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that a Memorandum of Understanding, substantially in the form attached hereto and made a part hereof, between the City of Danville, Danville Pittsylvania Community Services and Pittsylvania County, for the purpose of establishing the Danville-Pittsylvania Treatment Court is hereby approved; 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 approve the Memorandum of Understanding.

Approved:

Mayor

Attest:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Memorandum of Understanding (MOU)

Danville-Pittsylvania Community Services and Danville-Pittsylvania Treatment Court

Period of Agreement: This MOU is made on _____ by and between Danville-Pittsylvania Community Services (DPCS) and City of Danville and Pittsylvania County for the Danville-Pittsylvania Treatment Court. Review of this Memorandum shall be made on or before _____, at which time this agreement may be extended, modified, or terminated.

Parties: This MOU is designed to reflect the agreement between Danville-Pittsylvania Community Services, an Agency which provides assessment, treatment, and support for the recovery of behavioral health, substance use, and developmental disabilities, hereinafter DPCS and City of Danville and Pittsylvania County for the Danville-Pittsylvania Treatment Court, hereinafter DPTC. Referrals for Danville-Pittsylvania Treatment Court are received from the Circuit Courts of the City of Danville and Pittsylvania Circuit Court.

Common Objectives: DPCS and DPTC, the parties to this Memorandum have the following common objectives:

1. To assure the delivery of services requested in a timely manner to individuals referred by Danville-Pittsylvania Treatment Court staff for assessment and treatment of substance use disorders.
2. To assure the application of services in strict accord with assessments and treatment plans prepared pursuant to careful, systematic assessment of the individual;
3. To assure notice by the respective parties to each other of any changes in the individual's circumstances in order to permit swift and proper response by the parties to such changes;
4. To provide timely and clinically appropriate services to individuals who are referred for services including referrals to services outside of DPCS.

Individuals who are the subject matter of this Memorandum include the following:

This MOU addresses services for adults with a substance use disorder who are referred by Danville-Pittsylvania Treatment Court staff for a screening and assessment, including an ASAM level of care, who meet criteria for outpatient services and who participate in the treatment court program. ASAM Levels of Care meeting criteria would include: 1.) Level 1 - Opioid Treatment Program; 2.) Level 1 – Outpatient Services; or 3.) Level 2.1 – Intensive Outpatient Services.

Referral Process: The Danville-Pittsylvania Treatment Court staff shall make referrals directly to the DPCS outpatient services clinician/coordinator who provides the treatment court screenings, assessments, and treatment. The Treatment Court should expect a response to referrals within two (2) business days upon receipt of the referral, consent, and any court orders.

Scope of Services: DPCS will provide the assessment and treatment services recommended (See Attachment A).

Reporting/Recordkeeping: DPCS shall conduct a screening assessment to determine the individual's eligibility for Treatment Court. Upon signature of the DPCS Release of Information by the referred individual, the Treatment Court and Commonwealth's Attorney office will be notified regarding the individual's eligibility and treatment recommendations within five business days from the court ordered referral. DPCS will maintain a record of each referral, screening, and assessment.

Confidentiality: DPCS shall safeguard the use of and access to information regarding individuals or families to which DPCS is providing or arranging for services. DPCS agrees not to use or release any reports, data, or other information identifying participants or persons, except with the approval of such participants or person served and in accordance with the rules and regulations of federal law - Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR Part 2) and where applicable, federal and state laws and regulations. Such information shall be used only to assure proper administration, planning, coordination, and monitoring of performance under this Agreement, with an appropriate signed Release of Information from the individual or individual's guardian/authorized representative.

Cost: DPCS agrees to bill insurances including VA Medicaid, Medicare, and other third party insurances for all those individuals who have qualifying insurances for substance use treatment. Individuals with insurance will be responsible for their co-pays and deductibles.

If individuals have no insurance, the Individual will be assessed for a sliding scale fee for the services provided.

Each locality, City of Danville and Pittsylvania County will be billed by DPCS for services rendered for a participate from their locality when the participant is not covered by insurances upon receipt of future funding sources.

The below DPCS rates for services rendered are effective March 2023. The rates for services provided will be re-evaluated upon Danville-Pittsylvania Treatment Court's receipt of funding sources.

Assessment.....	\$ 243.00
Individual Therapy.....	\$ 150/Hr.
Group Therapy.	\$ 61.50/Event
Family Psychiatric Evaluation.....	\$ 237/Event
Family Therapy.....	\$ 125/Hr.
Injection.....	\$ 25/Event
Individual Counseling.....	\$ 67/Hr.
Family Counseling.....	\$ 84/Hr.
Group Counseling.....	\$ 41/Event
Substance Use Case Management.....	\$ 243/Month
MAT Substance Use Care Coordination.....	\$ 243/Month
Oral Swab Drug Screen...minimum charge (ability-to-pay scale not applicable)..	\$ 30/Event
Urine Drug Screen.....	\$ 25/Event
Individual Peer Support Services (MH/SA).....	\$6.50/15 minutes
Group Peer Support Services (MH/SA).....	\$2.70/15 minutes
Non-billable services (meetings, reports, etc.).....	\$25 per hour

DPCS is often provided with other funding that may be used for the following services if required:

- Inpatient detox and treatment
- Medication for the treatment of Opioid Use Disorder (OUD), including Suboxone, Subutex, Vivitrol, and injectable Sublocade. Medication not provided by DPCS can be invoiced using a monthly invoicing process.

- Dental and medical care which is a barrier to SUD treatment.

The Treatment Court Team, including DPCS staff, may request funding by contacting the DPCS Director of Clinical Services. Funding will be approved based on availability and clinical need. DPCS staff must complete a GPRA when SOR funds are used.

Publicity: The parties mutually agree not to use the name of the other in any public information without permission.

Dispute Resolution: In the event of a dispute, difference of interpretation, or appeal of a decision regarding the terms and/or conditions of this agreement, settlement shall first be sought in a meeting between the designated representative of DPTC and a designated representative of DPCS. If settlement cannot be reached, the issue shall then be presented to the Executives to the agencies for joint resolution.

Data and Reporting: DPCS will provide data and reports in accordance with the requests from DBHDS, Department of Medical Assistance Services (DMAS) and Danville-Pittsylvania Treatment Court. DPCS and Danville-Pittsylvania Treatment Court will work collaboratively to provide reports as requested and in a timely manner.

Amendment: This Memorandum of Understanding may be amended on the initiative of either party by submitting a proposed amendment in writing to the other party and agreement of that party to the amendment.

James F. Bebeau, LPC
Executive Director
Danville-Pittsylvania Community Services

Date

Stuart J. Turille, Jr. County Administrator for
Pittsylvania County, Virginia

Date

Ken Larking, City Manager for
Danville, Virginia

Date

ATTACHMENT A – SCOPE OF SERVICES

DPCS is licensed by the Department of Behavioral Health and Developmental Services (DBHDS) to provide outpatient substance use services including assessment and treatment. DPCS licensed and/or licensed-eligible staff shall:

- Conduct a Substance Use Screening to include an ASAM level of care to determine treatment needs upon receipt of referral from the Danville-Pittsylvania Treatment Court staff. The screening is documented in the DPCS electronic health record (EHR).
 - Screenings must be conducted in-person or via two-way, real time interactive electronic communication
- Determine whether the individual is appropriate for outpatient services or requires residential detoxification, or more intensive services than outpatient such as inpatient treatment before entering treatment court.
- Report treatment recommendations to Danville-Pittsylvania Treatment Court staff prior to the next scheduled court appearance.
- If the individual meets criteria for outpatient treatment and accepted into the Treatment court, an intake to include a Comprehensive Needs Assessment (CNA) and financial assessment will be completed for enrollment in services at DPCS.
- Complete an Individualized Service Plan (ISP) if meets criteria for outpatient treatment.
- Provide case management, individual, group, and/or family therapy as required by Treatment Court phases.
- Participate in Treatment court staffing/team meetings, hearings, and submit weekly reports to the Treatment Court staff.

Council Letter City of Danville, Virginia



CL - 549

NEW BUSINESS E.

City Council REGULAR MEETING

Meeting Date: May 16, 2023

Subject: Consideration of Fee Changes Effective July 1, 2023.

From: Henrietta Weaver, Budget Director

COUNCIL ACTION

1. Public Hearing
2. An Ordinance Amending and Establishing and Increasing Certain Fees of the City of Danville Effective July 1, 2023.
FIRST READING

SUMMARY

The Fiscal Year 2024 City Council Introductory Budget contains recommendations for the following new fees or fee increases:

The establishment of a zoning letter verification fee in Community Development which is estimated to provide an additional \$2,700 in revenue.

Various fee increases in the Fire Department are estimated to provide an additional \$23,000 in revenue.

Parks and Recreation facility rental fee increases are estimated to provide an additional \$7,690 in revenue.

Sanitation fee increases are estimated to provide an additional \$225,800 in revenue.

A public hearing was held May 16, 2023 for the above proposed rate and fee changes. Nobody from the public spoke at the hearing.

BACKGROUND

The purpose of the fee establishment or increase in Community Development, Fire, and Parks and Recreation is to capture revenue from the customers who are using this service and to reduce the subsidy that the general taxpayer provides to make these available. Each of the proposed fees were benchmarked against peer cities to make sure they are competitive with what others charge for these services.

Sanitation fees are being increased due to the rising cost of providing this service. The Sanitation Fund is a self-supporting operation and, unfortunately, the rising costs associated with personnel and

equipment require this increase. The current fees have not been changed since 2005.

RECOMMENDATION

It is recommended that City Council adopt the attached ordinance establishing and increasing fees.

Attachments

1. Ordinance
-

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2023-____. ____

AN ORDINANCE AMENDING AND ESTABLISHING AND INCREASING CERTAIN FEES OF THE CITY OF DANVILLE EFFECTIVE JULY 1, 2023.

WHEREAS, the city of Danville charges fees for services rendered, permits and public use of facilities; and

WHEREAS, fees for services rendered and permits are designed to help recoup a portion of the costs of providing those services; and

WHEREAS, fees for public use of facilities are designed to help recoup a portion of the costs of providing use of these facilities not usually shared by all citizens; and

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that certain fees, be, and the same are hereby, established and approved in accordance with the four schedules, which are hereto and made a part hereof, as if fully set forth within, as follows:

Schedule I. Community Development – Zoning Verification Fee

Schedule II. Fire Department – Service Fees

Schedule III. Parks and Recreation – Facility Rental Rates

Schedule IV. Sanitation Fees

AND BE IT FURTHER ORDAINED that this Ordinance shall be and become effective on and as of July 1, 2023.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

**CITY OF DANVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
FEES
*EFFECTIVE JULY 1, 2023***

Pursuant to Danville City Code § 2-9, and Danville City Charter § 2-19.

FEE	CURRENT	PROPOSED
Zoning letter verification	\$0	\$75

**CITY OF DANVILLE
FIRE DEPARTMENT
FEES
EFFECTIVE JULY 1, 2023**

Pursuant to Danville City Code § 2-9 and Danville City Charter § 2-19.

FEE	CURRENT	PROPOSED
Fire Protection Permit Plan Review Fees		
Sprinkler System (limited area, 13D, Dry Pipe, Standpipe)	\$30	\$150
Sprinkler System (ordinary, 13R)	\$30	\$300
Sprinkler Heads (per head)	\$0	\$5
Standpipe System Only	\$30	\$250
Standpipe System Only – each additional riser	\$0	\$100
Fire Pump (per pump)	\$30	\$300
Underground Fire Line (per line)	\$30	\$300
Fire Alarms (first 10 devices)	\$30	\$150
Fire Alarms (each additional after 10)	\$0	\$5
Hood System	\$30	\$150
Carbon Dioxide Extinguishing System	\$30	\$200
Clean Agent Extinguishing System	\$30	\$100
Dry Chemical System, Wet Chemical System	\$30	\$100
Fire Safety Educational Review	\$30	\$50
Revision & Revision/Resubmitted	\$30	\$50
Tank Install (per tank)	\$30	\$200
Fireworks (per site)	\$30	\$50
Fire Protection Inspection Fees		
Various Fire Protection Inspection Fees	\$100	\$200
Thermal Pest Control	\$0	\$200
Tank Install and Removal	\$100	\$200
Re-inspection Fee	\$30	\$200
Fire Marshal's Office Permit Fees		
Blasting Permit (90 days)	\$125	\$1,000
Fireworks (per site, date specific)	\$100	\$400
Fumigation (14 days max, date specific)	\$100	\$200
Tank Removal – Abandonment (per tank)	\$100	\$200
Tank Install	\$100	\$400
False Alarm Fees		
3 rd False Alarm	\$50	\$100
4 th False Alarm	\$75	\$150
5 th False Alarm	\$100	\$200
6 th False Alarm and subsequent	\$125	\$500

**CITY OF DANVILLE
FIRE DEPARTMENT
FEES
EFFECTIVE JULY 1, 2023**

Pursuant to Danville City Code § 2-9 and Danville City Charter § 2-19.

FEE	CURRENT	PROPOSED
Fire Marshal's Office Building Inspection Fees		
FMO Occupancy Evaluation, Shell, Tenant	\$100	\$150
Re-inspection Fee	\$30	\$150
FMO Inspection Package Fees		
Wet/Dry System – 4 heads or less	\$100	\$300
Wet System – 5 heads or more	\$100	\$500
Flow Test – 4 heads	\$100	\$150
Dry System – 5 heads or more	\$100	\$500
Hood System Test	\$100	\$150
Clean Agent System	\$100	\$150
Fire Alarm	\$100	\$300
Underground Fire Main	\$100	\$400
Standpipe	\$100	\$400
Fire Protection Permit Inspection - Rejection	\$27.50	\$150
Fire Protection Permit Inspection - Cancellation	\$27.50	\$50
Working Without Permit Fee	\$0	\$750

**CITY OF DANVILLE
PARKS AND RECREATION DEPARTMENT
FACILITY RENTAL FEES
EFFECTIVE JULY 1, 2023**

Pursuant to Danville City Code § 2-9 and § 25-3, and Danville City Charter § 2-19.

FACILITY	CURRENT	PROPOSED
Pepsi Building (4 hour minimum)	\$325	\$400
Community Market (Community Rm)	\$480	\$560
Community Market (Building)	\$900	\$1,000
Ballou 6 & Anglers Park Shelter (5 hours)	\$45	\$50
Ballou 6 & Anglers Park Shelter (10 hours)	\$80	\$90
Ballou 2, Camilla & Coates Shelter (5 hours)	\$30	\$35
Ballou 2, Camilla & Coates Shelter (10 hours)	\$50	\$60
Ballou Park Stage (4 hour minimum)	\$180	\$200
All other sites – private events (5 hours)	\$15	\$35
All other sites – private events (10 hours)	\$30	\$60
Coates Recreation Center (4 hour minimum)	\$250	\$325
Glenwood Recreation Center (4 hour minimum)	\$250	\$325
City Auditorium (4 hour minimum)	\$375	\$450
Ballou Park Recreation Center (downstairs)	\$325	\$400
Ballou Park Recreation Center (upstairs)	\$200	\$275
Camp Grove Recreation Center	\$250	\$325

**CITY OF DANVILLE
PUBLIC WORKS DEPARTMENT
SANITATION FEES
EFFECTIVE JULY 1, 2023**

Pursuant to Danville City Code § 2-9 and § 17-25, and Danville City Charter § 2-19.

FEE	CURRENT	PROPOSED
Residential Refuse Collection	\$16.50	\$17.50
Residential Refuse Collection – reduced fee	\$8.25	\$8.75
Commercial Refuse Collection	\$2	\$3
Commercial Refuse Collection – partial service	\$1	\$1.50
Sale of Refuse Carts (96 gallon)	\$50	\$60
Heavy Truck Tire Disposal	\$5	\$10
Passenger Tire Disposal	\$2	\$5
Yard Waste Disposal (begin charging residential)	\$10	\$10