

September 5, 2023

The Regular September meeting of the Danville City Council was held on September 5, 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, and J. Lee Vogler, Jr., (8) Madison J.R. Whittle was absent (1).

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

L.G. "Larry" Campbell, Jr., gave the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Proclamation: Constitution Week

Presented to: Cathy Nesselrode, Daughters of the American Revolution

Ms. Nesselrode gave a brief presentation on the Constitution of the United States, noting in 1955, Congress set aside one week a year to remind citizens of that history and the precedent it set. Constitution Week was recognized on September 17th through the 23rd of each year.

CONSENT AGENDA

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

Minutes from Regular Council Meeting held on August 1, 2023. Draft copies of the Minutes had been distributed prior to the meeting.

Budget Amendment - Amending the Fiscal Year 2024 Budget Appropriation Ordinance for the Creative Communities Art Grant

Ordinance No. 2023-08.11, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a Virginia Commission for the Arts Grant in the Amount of \$4,500, and to Provide for the Local Share in the Amount of \$5,000 for a Total Grant of \$9,500.

Budget Amendment - Amending the Fiscal Year 2024 Budget Appropriation Ordinance for an Aviation Promotion Grant

An Ordinance Entitled, Ordinance No. 2023-08.05, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a State Department of Aviation Grant for the Purpose of Providing Funding to Promote Aviation Awareness at the Danville Regional Airport in the Amount of \$5,000 and for the Local Share in the Amount of \$5,000 to be Provided by the General Fund Support of Grants for a Total Appropriation of \$10,000 and Appropriating Same.

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)

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NAY: None
ABSENT: Whittle (1)

APPOINTMENTS

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

Resolution 2023-09.01 – A Resolution Reappointing Kathryn Waters to the Commission of Architectural Review.

Resolution 2023-09.02 – A Resolution Appointing Paul Liepe to the Commission of Architectural Review to fill an Unexpired Term.

Resolution 2023-09.03 – A Resolution Reappointing Janet Gwynn to the Community Improvement Council.

Resolution 2023-09.04 – A Resolution Reappointing Kacey Cunningham to the Community Improvement Council.

Resolution 2023-09.05 – A Resolution Appointing Michelle Vaden to the Fair Housing Board.

Resolution 2023-09.06 – A Resolution Appointing Jasmine Lipscomb to the Fair Housing Board.

Resolution 2023-09.07 – A Resolution Appointing Takessa Walker to the Fair Housing Board.

Resolution 2023-09.08 – A Resolution Appointing Pierre Jones to the Fair Housing Board.

The Motion was **seconded** by Council Member Campbell 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)

NEW BUSINESS

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT FILED BY FORTILINE, INC., AT 4780 RIVERSIDE DRIVE (PARCEL 72287)

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 4780 Riverside Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023.

Mayor Jones recognized Robbie Woodall, owner of the property, who noted he was helping the company with this process; the property was already zoned HR-C, and they needed a special use permit. The company was ready to start construction and have already generated a lot of sales in Danville through their Greensboro location. The company will be selling piping and other fixtures comparable to Ferguson in Danville. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-09.01

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00198, FILED BY FORTILINE INC, REQUESTING A SPECIAL USE PERMIT TO ALLOW WHOLESALE SALES AT PARCEL ID 72287 (4780 RIVERSIDE DRIVE) IN ACCORDANCE WITH ARTICLE 3.M., SECTION C, ITEM 25.

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)

PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY INTERNATIONAL SECURITY INVESTMENTS CORP AND HAMPTON WILKINS, AT 110 PARK AVENUE (PARCEL 54191) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 110 Park Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-09.02

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00223, FILED BY INTERNATIONAL SECURITY INVESTMENTS CORP AND HAMPTON WILKINS, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 54191 (110 PARK AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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

VOTE: 7-0-1-1
AYE: Campbell, Hood, Jones, Mayo,
Miller, Saunders, and Vogler (7)
NAY: None
ABSTAIN: Buckner
ABSENT: Whittle (1)

I, James B. Buckner, do hereby state that I have a conflict of interest regarding the Consideration of a Special Use Permit Application filed by International Security Investments Corp and Hampton Wilkins , at 110 Park Avenue (Parcel 54191) to Allow Short-Term Rental as Principal Use. Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code § 2.2-3112, I must abstain from voting on this agenda item.

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Witness my signature this 5th day of September, 2023.

s/James B. Buckner

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY INTERNATIONAL SECURITY INVESTMENTS CORP., FOR A SPECIAL USE PERMIT AT 822 WEST MAIN STREET (PARCEL 60436) TO ALLOW SHORT-TERM RENTAL AS A PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 822 West Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023. No one present desired to be heard and the Public Hearing was closed.

Vice Mayor Miller **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2023-09.03

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00222, FILED BY INTERNATIONAL SECURITY INVESTMENTS CORP, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 60436 (822 WEST MAIN STREET) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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)

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY NATALIE JAMES ON BEHALF OF SIGNATURE INVESTMENTS GROUP LLC, AT 49 AUGUSTA AVENUE (PARCEL 54941) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE.

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 49 Augusta Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023.

Mayor Jones recognized Natalie James, who stated she was present on behalf of Signature Investments Group, LLC. 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. 2023-09.04

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00207, FILED BY NATALIE JAMES ON BEHALF OF SIGNATURE INVESTMENTS GROUP LLC, REQUESTING A SPECIAL USE PERMIT PAGE 3 OF 178 TO OPERATE A SHORT TERM RENTAL AT PARCEL

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ID 54941 (49 AUGUSTA AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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)

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY ALLEN STONE AND KRISTINA STONE ON BEHALF OF 2511 REC LLC, AT 66 STOKESLAND AVENUE (PARCEL 51055) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE.

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 66 Stokesland Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-09.05

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00225, FILED BY ALLEN STONE AND KRISTINA STONE ON BEHALF OF 2511 REC LLC, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 51055 (66 STOKESLAND AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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)

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY ALLEN STONE AND KRISTINA STONE ON BEHALF OF 2511 REC LLC AT 69 SCHOOLFIELD DRIVE (PARCEL 50384) TO ALLOW SHORT-TERM RENTAL, AS PRINCIPAL USE.

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 69 Schoolfield Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023. 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. 2023-09.06

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AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00226, FILED BY ALLEN STONE AND KRISTINA STONE ON BEHALF OF 2511 REC LLC, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 50384 (69 SCHOOLFIELD DRIVE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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)

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION PZ23-00220 FILED BY GIBSON INVESTING, LLC AT 212 WOOD AVENUE (PARCEL 51316) TO ALLOW SHORT-TERM RENTAL, AS PRINCIPAL USE.

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 212 Wood Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 22, 2023 and August 29, 2023. No one present desired to be heard.

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

ORDINANCE NO. 2023-09.07

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00220, FILED BY GIBSON INVESTING, LLC, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 51316 (212 WOOD AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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)

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Dale McCray who spoke to Council regarding collective bargaining. He stated that employees should be able to decide and vote on having a union. In recognition of Labor Day, he thanked all City employees for what they do on a day-to-day basis.

COMMUNICATIONS

City Manager reminded Council that an email was sent out earlier regarding the status of the new splash pads being constructed.

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

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Council Member Buckner thanked everyone for coming out tonight; it was always nice when citizens take an interest in what Council was doing. The Blue Ridge Rock Festival weekend was here; he spoke with one of the organizers and the event was sold out. It will be held at VIR, and 50,000 tickets have been sold. Traffic may take longer with that many additional people in and out of the City. Blue Ridge does hire local people to work the event.

Council Member Campbell shared information on climate change and how the City can help with the movement, and raise awareness.

Council Member Hood thanked Tajzmah Enterprises out of Roanoke for choosing Danville to host their music festival last week at the Pavilion. People came to Danville from all over and it was a great time. Mr. Hood thanked the Tunstall government class for coming out to Council.

Council Member Mayo thanked the Tunstall students for attending tonight's meeting, and thanked everyone for coming out. Danville was moving, members of Council were always out in the community and doing what they do. Mr. Mayo noted he was excited to see where it was going.

Vice Mayor Miller thanked the Tunstall students for coming out. Dr. Miller noted everyone should visit Independence Hall in Philadelphia, to see what went on and hear the story on the signing of the Constitution and the men who made it possible. Dr. Miller noted he went to Iceland this past week and commented on glaciers melting and the impact global warming was having.

Council Member Saunders welcomed the Tunstall students and thanked them for coming tonight. Mr. Saunders discussed cyber security and the cyber security program at DCC; that program can enroll twenty participants, has openings for four more people, and encouraged people to enroll.

Council Member Vogler stated it was a great time in the comeback city and was glad the word was spreading. There were new businesses opening and classic businesses were reopening with new ownership. The number of short term rentals and Air BnB's shows the level of excitement investors have in Danville. The Blue Ridge Rock Festival has been great the past few years, and was looking forward to this weekend. This Monday will be the 22nd anniversary of 9/11, and talked about memories from that day. It was important for young people to know the importance of that day and how united everyone was in the days, weeks, and months that followed.

Mayor Jones recognized the students from Tunstall and noted this past weekend was the daddy-daughter dance held by the Police department; it was a great event. Danville has come a long way; there were many things going on, acknowledged the partnerships, and thanked citizens for believing in Danville.

Meeting was adjourned at 7:43 pm.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK