

October 5, 2023

The Regular October meeting of the Danville City Council was held on October 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, J. Lee Vogler, Jr., and Madison J.R. Whittle (9). *Mr. Vogler entered the meeting at 7:11 pm.*

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.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding Budget Appropriations on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 28, 2023. No one present desired to be heard and the Public Hearing was closed.

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

Consideration of Approval of Minutes from Regular Council Meeting held on September 5, 2023.
Draft copies of the Minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2024 Budget Appropriation Ordinance for Federal and State Aviation Capital Funding

An Ordinance Entitled, Ordinance No. 2023-09.08, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for Federal and State Aviation Capital Grant Funding to Complete the Rehabilitation of the South Ramp at the Danville Regional Airport plus Additional State Aviation Funding Related to the Replacement of the Terminal Building Roof in the Amount of \$3,753,439 and for the Local Share in the Amount of \$116,939 to be Provided by a Transfer from the General Fund Support of Special Grants Fund and Appropriating the Same.

Amending the Fiscal Year 2024 Budget Appropriation Ordinance for Older Americans Act Grant Funding in the Amount of \$476,635

An Ordinance Entitled, Ordinance No. 2023-09.09, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Certain Revenues to Provide for Title III-B Grant Funds and Local Share for Senior Citizen Transportation Services and Appropriating the Same.

Amending the Fiscal Year 2024 Budget Appropriation Ordinance for Older Airport Maintenance Program in the Amount of \$50,000

An Ordinance entitled Ordinance No. 2023-09.10, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for State Department of Aviation Maintenance Grant Funds Related to the Maintenance of Certain Airport Properties in the Amount of \$40,000 and for the Local Share in the Amount of \$10,000 for a Total Appropriation of \$50,000 and Appropriating the Same.

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

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

APPOINTMENTS

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

RESOLUTION NO. 2023-10.01

A RESOLUTION APPOINTING DAWN LOVING TO THE DANVILLE COMMUNITY POLICY AND MANAGEMENT TEAM AS THE 22ND DISTRICT COURT UNIT REPRESENTATIVE.

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

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

Vice Mayor Miller **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2023-10.02

A RESOLUTION CONFIRMING APPOINTMENTS TO THE COMMUNITY CRIMINAL JUSTICE BOARD.

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

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

NEW BUSINESS

CONSIDERATION OF APPROVAL TO RELEASE TWO BLANKET ELECTRIC EASEMENTS ON PARCEL NO. 1336-00-7267 ON COBBS KNOBB ROAD IN PITTSYLVANIA COUNTY

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

RESOLUTION NO. 2023-10.03

A RESOLUTION AUTHORIZING THE ABANDONMENT OF TWO UNUSED AND UNNEEDED CITY BLANKET EASEMENTS ACROSS PROPERTY IN PITTSYLVANIA COUNTY.

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

Council Member Whittle questioned the blanket easement, and Director of Utilities Jason Grey explained this was for Dominion Energy Solar Farms, and the blanket easement, when they were done years ago, were for the entire property. The developer asked the City to define the exact width of the easement for the right of way for the City's utility lines; it would be a 30 foot right of way for the City's distribution line.

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

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

CONSIDERATION OF APPROVAL TO RELEASE THREE BLANKET EASEMENTS IN PITTSYLVANIA COUNTY

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

RESOLUTION NO. 2023-10.04

A RESOLUTION AUTHORIZING THE ABANDONMENT OF THREE CITY BLANKET EASEMENTS ACROSS PROPERTY IN PITTSYLVANIA COUNTY.

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

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

PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY MADS HOLBROOK LLC AT 503 HOLBROOK AVENUE (PARCEL 21964) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 503 Holbrook Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized Steve Rider representing MADS Holbrook, LLC who noted he was available to Council for any questions. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-10.01

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AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23-00254, FILED BY MADS HOLBROOK LLC, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 21964 (503 HOLBROOK AVENUE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C, ITEM 29.

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

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

PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION AT 121 HOWELAND CIRCLE (PARCEL 23422) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for 121 Howeland Circle. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 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. 2023-10.02

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00270, FILED BY PREFERRED MANAGEMENT GROUP ON BEHALF OF REBEKAH AND JONATHAN ROGERSON, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 23422 (121 HOWELAND CIRCLE) 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 Whittle (8)
NAY: None (0)
ABSENT: Vogler (1)

PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION AT 113 CLARENDON CIRCLE (PARCEL 25586) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 113 Clarendon Circle. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized Martha Ray, 131 Canterbury Road, who noted she was the owner of 113 Clarendon Circle, and she had been renting the house as an Airbnb for over a year, and was before Council to seek a special use permit for this property. Mrs. Ray discussed her care of the

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property and her rating on Airbnb. Vice Mayor Miller asked about parking on the property, and Mrs. Ray stated there was one driveway that can hold two cars and there was off street parking. Council Member Vogler thanked Mrs. Ray for the packet of information and the presentation, referencing letters that were sent in response to the property being used as a short-term rental; they have all been positive.

Mayor Jones recognized Leonard Lackey, 128 Wilton Avenue who stated he and his wife have lived there for 36 years and would like it to continue to be a residential neighborhood. He spoke in opposition stating the owner does not live there and it creates a business, like a mini motel in the neighborhood. A business should be in a business district not in a residential district.

In response to Mayor Jones, Ms. Burton explained a special use permit remains with the land itself in perpetuity unless it was vacated for more than two years, then it loses its vested right. Otherwise, a special use permit does remain active. Council Member Buckner asked how many Airbnb's were in the area, and Ms. Burton noted she does not think she had any licenses in that area. Mr. Buckner noted he lives near this property and knows of two short-term rentals that were closer to him than 113 Clarendon; he can see all three from his front porch. It was not something new and were the best neighbors he has had in those properties.

Mayor Jones recognized Anna Gerkin from Martinsville, VA who spoke representing her son who was a resident on-call at the hospital. She purchased a home on Wilton Avenue for her son to stay at during his residency, and stated she owned four Airbnbs. She discussed the different rental platforms and spoke in support of Air BnB's.

Vice Mayor Miller stated the City needed to find short term rentals that have not acquired a special use permit; regulations need to be put in place so that they pay the appropriate taxes to the City, but not discourage them. The City has a housing shortage and needs places for people to live.

City Manager Ken Larking noted this was a new subject for communities that were dealing with it as it happens. He attended a conference session that was led by Airbnb, and the subject was short term rentals. It was a complicated subject with a lot of issues that needed to be addressed by local governments, Airbnbs and the users. It became challenging to know when a house was being rented as an Airbnb; some platforms were better than others in letting local governments know. In most cases, staff had to find them, and the best way to find them was to search for them, then try to reach out to the owners and let them know they need a special use permit; that was how the City captured them. To be able to say does the City know how many short-term rentals were in any one given area was almost impossible; there was more than one platform they can be rented on. Staff was working on it the best they can.

Council Member Vogler noted he was currently serving as the Chairman for the Short-Term Rental Committee for the Virginia Housing Commission. He met with localities from all over Virginia who were dealing with this; he was familiar with great examples and bad ones. People can find both in any place.

Council Member Hood questioned if there was a term for the special use permits and Mr. Larking noted for any that were under consideration tonight, it would be in perpetuity with the land; the regulations they were proposing would require a renewal. Mr. Hood questioned if it could be revoked and Mr. Larking explained every time it was up for renewal, it was an opportunity to look at the permit.

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Mayor Jones recognized Kristen Wiles of 144 Clarendon Circle, who spoke in opposition of the proposed special use permit.

Mayor Jones recognized Martha Ray who spoke again and stated that the long-term rentals in that area do not have any regulations to go by like short-term rentals. She was not sure why people who lived outside the 300 feet impact zone were even there to participate in this discussion.

No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-10.03

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00269, FILED BY MARTHA EVANS RAY, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 25586 (113 CLARENDON CIRCLE) IN ACCORDANCE WITH ARTICLE 3.E., SECTION C., ITEM 29.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Vogler and Whittle (8)
NAY: Saunders (1)

PUBLIC HEARING - CONSIDERATION OF A REZONING APPLICATION TO REZONE TWO WINSTEAD DRIVE (PARCEL 51165) FROM HR-C HIGHWAY RETAIL COMMERCIAL TO OT-R OLD TOWN RESIDENTIAL

Mayor Jones opened the floor for a Public Hearing regarding a Rezoning Application for Two Winstead Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized the applicant, Jeremiah Clark, 218 Hayes Avenue, Danville, Virginia, who noted he wanted to convert the property into an Airbnb. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-10.04

AN ORDINANCE REZONING FROM HR-C, HIGHWAY RETAIL COMMERCIAL TO OT-R, OLD TOWN RESIDENTIAL PARCEL ID #51165 (2 WINSTEAD DRIVE).

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

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

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PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY JEREMIAH CLARK, REQUESTING A SPECIAL USE PERMIT AT TWO WINSTEAD DRIVE (PARCEL 51165) TO ALLOW SHORT-TERM RENTAL AS PRINCIPAL USE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at Two Winstead Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 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. 2023-10.05

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00273, FILED BY JEREMIAH CLARK, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AT PARCEL ID 51165 (2 WINSTEAD 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: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle, (9)
NAY: None (0)

PUBLIC HEARING - CONSIDERATION OF A REZONING APPLICATION FILED BY JEREMIAH CLARK TO REZONE 2520 WEST MAIN STREET (PARCEL 54430) FROM HR-C HIGHWAY RETAIL COMMERCIAL TO OT-R OLD TOWN RESIDENTIAL

Mayor Jones opened the floor for a Public Hearing regarding Maintaining Zoning at 2520 West Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized the applicant, Mr. Clark, who noted to Council that this was located on the same piece of property as the other one. It had plenty of parking, neighbors would not be disturbed, it was convenient and in a good neighborhood.

Vice Mayor Miller questioned the parking and the applicant stated there was a parking lot and Mr. Buckner noted it was a commercial property with parking. Council Member Buckner questioned if this item fell in the West Main Corridor, was this allowed and Ms. Burton stated it was allowed to rezone from HR-C to OT-R. Ms. Burton noted staff has recommended denial because it was not in compliance with the City's Comprehensive Plan nor was it compatible with the corridor overlay in the Schoolfield Master Plan.

No one further desired to be heard and the Public Hearing was closed.

Mr. Vogler questioned if the motion was to uphold denial, and Mr. Whitfield explained it was to uphold the current zoning. Mr. Larking noted this was adjacent to a property that was residential, that Council did approve for a special use permit; the commercial property faces West Main Street. The West Main area from Route 29 to Schoolfield was mostly commercial; that was why staff was

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recommending denial, because to turn it into residential was not compatible with the Comprehensive Plan.

Mr. Vogler asked about the long-term plan for this area; some of these buildings, including this one, look like for years that a bomb had dropped on it. He understands what they said about this not being necessarily the best use for that site, but he did not want to keep seeing it rot away for another ten years. If Council does not pass this, he hopes the City has something else in mind; that entire stretch needed a lot of work. Mr. Larking explained the Schoolfield Master Plan, which was recently reviewed with City Council, took a look at not only where the casino was located but the corridor from 29 down West Main to the Casino, and from the Casino to the River District. This area will be highly traveled, it has a lot of commercial property that was in poor condition, but the Schoolfield Master Plan has identified this whole corridor as something to invest in and try to improve as the gateway to the community. It should be commercial on that four-lane road according to the Comprehensive Plan, the Schoolfield Plan and the Overlay that was adopted.

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

RESOLUTION NO. 2023-10.05

A RESOLUTION MAINTAINING PARCEL ID 54430 (2520 WEST MAIN STREET) IN THE HR-C HIGHWAY RETAIL COMMERCIAL ZONING DISTRICT.

The Motion was **seconded** by Vice Mayor Miller and carried by the following vote:

VOTE: 7-2
AYE: Buckner, Campbell, Hood, Miller,
Saunders, Vogler and Whittle (7)
NAY: Jones, Mayo, (2)

A RESOLUTION DENYING A SPECIAL USE PERMIT APPLICATION FILED BY JEREMIAH CLARK, REQUESTING A SPECIAL USE PERMIT AT 2520 WEST MAIN STREET (PARCEL 54430) TO ALLOW SHORT TERM RENTAL AS PRINCIPAL USE

RESOLUTION NO. 2023-10.06

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION PZ23- 00275, FILED BY JEREMIAH CLARK, REQUESTING A SPECIAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL AS PRINCIPAL USE IN ACCORDANCE WITH ARTICLE 3.E, SECTION C., ITEM 29. OF THE DANVILLE ZONING ORDINANCE AT 2520 WEST MAIN STREET (PARCEL ID #54430).

THIS MOTION WAS NOT HEARD BECAUSE PREVIOUS THE MOTION WAS APPROVED

PUBLIC HEARING - CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY SETH FRANCIS ON BEHALF OF SOVAH HEALTH, REQUESTING A SPECIAL USE PERMIT AT 142 SOUTH MAIN STREET (PARCEL 26338)

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for 142 South Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

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Mayor Jones recognized Mr. Brian Lipsey from Clark Engineering appearing on behalf of SOVAH Health to request a special use permit for the setback encroachment to allow for the expansion of the hospital. 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. 2023-10.06

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ23- 00291, FILED BY SETH FRANCIS ON BEHALF OF SOVAH HEALTH, REQUESTING A SPECIAL USE PERMIT TO ALLOW A WAIVER OF MINIMUM YARD SETBACKS AT PARCEL ID 25586 (142 SOUTH MAIN STREET) IN ACCORDANCE WITH ARTICLE 3.I. SECTION C ITEM 19.

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

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

PUBLIC HEARING - CONSIDERATION OF REZONING APPLICATION FILED BY PDJ DEVELOPMENT, LLC TO REZONE PARCEL 75912 FROM LED-I INDUSTRIAL DISTRICT TO M-R MULTIFAMILY RESIDENTIAL DISTRICT

Mayor Jones opened the floor for a Public Hearing regarding Rezoning Parcel 75912. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized Ben Crew, with Balzer & Associates, Architects and Engineers, Roanoke, Virginia, who noted they were here for Item K and Item L. They were excited about the new investment in the City of Danville and the new community they have proposed. He was there with Patrick Daly, the developer of the project, to answer any questions they might have. 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. 2023-10.07

AN ORDINANCE REZONING FROM LED-I, LIGHT ECONOMIC DEVELOPMENT INDUSTRIAL TO M-R MULTI FAMILY RESIDENTIAL APPROXIMATELY EIGHTY ACRES OF PARCEL ID # 75912.

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

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

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PUBLIC HEARING - CONSIDERATION OF REZONING APPLICATION FILED BY PDJ DEVELOPMENT, LLC TO REZONE PARCEL 78257 FROM LED-I INDUSTRIAL DISTRICT TO M-R MULTIFAMILY RESIDENTIAL DISTRICT

Mayor Jones opened the floor for a Public Hearing regarding Rezoning Parcel 78257. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023. No one presented desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-10.08

AN ORDINANCE REZONING FROM LED-I, LIGHT ECONOMIC DEVELOPMENT INDUSTRIAL TO M-R MULTI FAMILY RESIDENTIAL PARCEL ID 78257.

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

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

PUBLIC HEARING - CONSIDERATION OF A CODE AMENDMENT REQUEST TO AMEND CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CITY OF DANVILLE, VIRGINIA

Mayor Jones opened the floor for a Public Hearing regarding an Amendment to the Zoning Ordinance. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023.

Mayor Jones recognized Charles Hanesworth III, 548 West Main Street, who spoke in opposition to some of the changes in the zoning ordinance regarding short term rentals. No one further desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** to **POSTPONE INDEFINITELY** an Ordinance entitled:

ORDINANCE NO. 2023-10.09

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 2, SECTION Y., ENTITLED "SHORT TERM RENTALS".

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

Council Member Vogler stated that he agreed with Council Member Buckner after coming in and looking at this tonight. There are some things that make some sense but there are a lot of things that while presented with good intentions, were counterproductive.

The **Motion** to **POSTPONE INDEFINITELY** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,

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 Saunders, Vogler, and Whittle (9)
NAY: None (0)

PUBLIC HEARING - CONSIDERATION OF AUTHORIZING AND APPROVING AN AMENDED AND RESTATED AGREEMENT OF LEASE FOR THE DAN RIVER BUSINESS DEVELOPMENT CENTER

Mayor Jones opened the floor for a Public Hearing regarding a Lease Agreement. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 21, 2023 and September 28, 2023. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2023-10.09

A RESOLUTION APPROVING AND AUTHORIZING AN AMENDED AND RESTATED AGREEMENT OF LEASE BY AND AMONG THE CITY OF DANVILLE, VIRGINIA, THE COUNTY OF PITTSYLVANIA, VIRGINIA AND DAN RIVER BUSINESS DEVELOPMENT BOARD RELATING TO THE DAN RIVER BUSINESS DEVELOPMENT CENTER.

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

Mr. Larking stated the Dan River Business Development Center was a jointly owned building between the City and the County; it was leased to that group for the purpose of helping small businesses get on the ground and hopefully graduate to become local industries. They have a variety of industrial space, and they also do some co-working rental spaces. This was a good service to the community, both Danville and Pittsylvania County, helping businesses to be successful. The purpose of this was to continue that operation and adjust a few things in the lease. Mr. Whitfield explained this was a policy decision rather than a legal decision on the lease so that everyone renting space could be assured that the lease will not end while they were trying to get their business off the ground.

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

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

PUBLIC HEARING - CONSIDERATION OF AMENDING OR ESTABLISHING RENTAL FEES FOR A NEW CORPORATE HANGER

Mayor Jones opened the floor for a Public Hearing regarding Rental Fees on a Corporate Hangar. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 26, 2023 and October 3, 2026. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2023-10.10

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AN ORDINANCE AMENDING AND ESTABLISHING MONTHLY RENTAL FEES FOR A NEW HANGAR LOCATED AT THE DANVILLE REGIONAL AIRPORT EFFECTIVE NOVEMBER 1, 2023.

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

COMMUNICATIONS FROM VISITORS

Mayor Jones acknowledged Mr. Jesse Barksdale, thanked him for being here tonight and asked that everyone give him a round of applause.

COMMUNICATIONS

City Manager Ken Larking apologized for missing National Night Out and stated he did receive good reports from the events taking place throughout the City. He was grateful to the staff that helped support that and hoped everyone on Council had a good time.

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

Council Member Buckner reminded everyone of PLAN Danville's corner party at Culture Restaurant on October 10 from 5:30 pm to 7:30 pm and encouraged citizens to attend. It was always a great thing when the citizens can offer input to what goes on in the City. The decisions made will continue for generations to come. Mr. Buckner gave a shout out to Coach Marcus Luck at Luck's Boxing and their friend Ms. Britian Beltran who defended her title for the third time. The Robert Marsh art expo opening reception was October 8 from 3 pm to 5 p.m. and will remain open from October 8 to December 23. These were works completed by his students.

Council Member Campbell stated he was looking forward to attending VML this weekend to learn what can be brought back to Danville, and also noted the importance of climate change.

Council Member Hood noted the importance of partnerships; this was something that they have been really strong about. Looking at the organizations and the work that they were doing in the community was spilling over. National Night Out was awesome as always, and Mr. Hood encouraged citizens to come out to Culture's event on October 10, the event at S&D Family Barber Shop, and Dougie Fresh will be coming back to Danville on October 21 at 4 pm at the Carrington Pavilion.

Council Member Mayo announced that Brightview awarded Danville City Council the Brightview Champions award for outstanding service to the recovery community. National Night Out was a great event and kudos to Council and the school board for working together and representing the City well. Mr. Mayo noted DCC will be hosting their second annual job and resource fair on November 1 from 9 am to 3 pm at the Community Market. Over 60 agencies and employers have signed up already and employers will be hiring on the spot.

Vice Mayor Miller stated the Bealle's grand opening was wonderful, and stated if citizens haven't been to a PLAN Danville party they need to come to one. National Night Out was a wonderful night for the 50th year in a row.

Council Member Saunders asked Mr. Barksdale to come forward and thanked him on behalf of City Council for representing the region well and for everything he has done throughout his life. Mr. Saunders encouraged staff to look for a win-win when looking at Air BnB's.

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Council Member Vogler noted there was a housing summit coming up that touches on it, but the housing needs in Danville were huge thanks to the great work that has been happening in the community over the past few years. The vote taken earlier tonight on the PDJ development, that was huge and a game changer; that was over 300 units being built on a beautiful concept as soon as people come into the City. If there were developers watching who want to become involved in an amazing City, Danville was it.

Mayor Jones thanked everyone for coming out tonight, for watching at home, and discussed National Night Out, noting there were a lot of good things happening in Danville. Mayor Jones stated Bishop Hairston passed today and their thoughts and prayers were with his family.

Meeting was adjourned at 8:43 pm.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK