



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

May 7, 2024

7:00 PM

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:**

James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
Madison J. Whittle

STAFF:

Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens, who have signed up to speak at www.danvilleva.gov/council or by contacting the Office of the City Clerk, 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 - SHERMAN M. SAUNDERS

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

- A. Proclamation: Historic Preservation Month
Presented to: Renee Burton, Division Director of Planning

Proclamation: Make Danville Shine
Presented to: Susan McCulloch, Division Director of Housing and Development

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 for Regular Council Meeting held on April 2, 2024.
Council Letter Number CL - 1331.
Consideration of Approval of Minutes for Regular Council Meeting held on April 2, 2024.
- B. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Utility Revenue Bonds.
Council Letter Number CL - 1256.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for the Proceeds from the Sale of Utility Revenue Bonds and Appropriating Same.
Final Adoption
- C. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of General Obligation Bonds.
Council Letter Number CL - 1257.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures.
Final Adoption
- D. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Recreation Enrichment Program in the Amount of \$326,615.
Council Letter Number CL - 1272.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for Funds in the Amount of \$64,447 for a Recreation Enrichment Program and the Local In-Kind Share of \$262,168 for a Total Appropriation of \$326,615 and Appropriation of Same.
Final Adoption

NEW BUSINESS

- A. Consideration of Denying a Special Use Permit Application filed by Janet Reed to Allow a Group Home at 18 Selma Avenue.
Council Letter Number CL - 1303.
1. Public Hearing
 2. A Resolution Denying Special Use Permit Application PZ24- 00064, filed by Janet Reed, Requesting a Special Use Permit to Allow a Group Home in Accordance with Article 3.E, Section C., Item 9 of the Danville Zoning Ordinance at Parcel ID 55273 (18 Selma Avenue).
- B. Consideration of a Special Use Permit Application filed by Carl Norton to Allow Retail Sales at 108 West Main Street.
Council Letter Number CL - 1304.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00097, filed by Carl Norton, Requesting a Special Use Permit to Allow Retail Sales, Limited to Indoor Display and Storage in Accordance with Article 3.I, Section C., Item 10 of Chapter 41., Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID 26034.
- C. Consideration of a Special Use Permit Application filed by Chris Koontz for a Waiver of Side Yard Requirement for Accessory Uses at 136 Gatewood Avenue.
Council Letter Number CL - 1305.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24-00131, filed by Chris Koontz, Requesting a Special Use Permit to Grant a Waiver of Side Yard Requirement for Accessory Uses at Parcel ID 57476 (136 Gatewood Avenue) in Accordance with Article 3.E., Section C., Item 20.
- D. Consideration of a Rezoning Application to Rezone 533 Piney Forest Road from PS-C Planned Shopping Center Commercial to HR-C Highway Retail Commercial.
Council Letter Number CL - 1306.
1. Public Hearing
 2. An Ordinance Rezoning from PS-C Planned Shopping Center Commercial to HR-C Highway Retail Commercial Parcel ID 56964 (533 Piney Forest Road).
- E. Consideration of a Special Use Permit Application filed by FHC Holdings LLC to Allow Uses Permitted by Right and by Special Use Permit at 874 Cahill Court.
Council Letter Number CL - 1307.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ24- 00134, filed by FHC Holdings LLC, Requesting a Special Use Permit to Allow Uses Permitted by Right and Special Use Permit in the HR-C District at Parcel ID 23207 (874 Cahill Court) in Accordance with Article 3.O., Section C., Item 15.
- F. Consideration of a Rezoning Application filed by David McLaughlin to Rezone 221 South Main Street from OT-R Old Town Residential to TO-C Transitional Office.

Council Letter Number CL - 1308.

1. Public Hearing
2. An Ordinance Rezoning from OT-R Old Town Residential to TO-C Transitional Office Commercial Parcel IDs 24101 and 25694 (221 South Main Street).

G. Consideration of a Special Use Permit Application filed by Dewberry to Allow a Waiver of Yard Requirements at 424 Airport Drive.

Council Letter Number CL - 1309.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ24- 00137, filed by Dewberry, Requesting a Special Use Permit to Allow a Waiver of Yard Requirements in Accordance with Article 3.O., Section C., Item 25 of Chapter 41., Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID 76366.

H. Consideration of a Code Amendment Request to Amend Chapter 41 entitled "Zoning Ordinance" specifically, Article 3.X Section H to create Item 19 "Car wash".

Council Letter Number CL - 1313.

1. Public Hearing
2. An Ordinance Amending and Reordaining Chapter 41 Entitled, "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 3.X., Section H, to Create Item 19 "Car Wash".

I. Consideration of a Special Use Permit Application filed by Henry Leggett to Allow Waiver of Lot Frontage Requirements on a Public Street and Waiver of Requirements for Public Water at 201 Little River Road.

Council Letter Number CL - 1271.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ24- 00152, filed by Henry Leggett, Requesting a Special Use Permit to Allow a Waiver of Requirements for Lot Frontage on a Public Street and Connection to Public Services at Parcel ID 70874 (201 Little River Road) in Accordance with Article 3.A, Section C, Items 18 And 19.

J. Consideration of an Appeal by ARRG Properties of the River District Design Commission's Determination to Deny a Request to Demolish 601 Lynn Street.

Council Letter Number CL - 1314.

1. Public Hearing
2. A Resolution Affirming the River District Design Commission to Deny a Certificate of Appropriateness to Demolish the Structure Located at 601 Lynn Street; OR
3. An Ordinance Reversing the River District Design Commission's Decision to Deny a Certificate of Appropriateness to Demolish the Structure Located at 601 Lynn Street.

K. Consideration of an Ordinance Amending Article IV, Entitled "Real Estate and Mobile Home Tax Exemption and Deferral for Certain Elderly and Disabled Persons," of Chapter 37, Entitled "Taxation," of the Danville City Code to Allow for Revisions to the Real Estate Exemption and Deferral Program.

Council Letter Number CL - 1264.

1. Public Hearing
2. An Ordinance Amending Article IV, Entitled “Real Estate and Mobile Home Tax Exemption and Deferral for Certain Elderly and Disabled Persons,” of Chapter 37, Entitled “Taxation,” of the Danville City Code to Allow for Revisions to the Real Estate Exemption and Deferral Program.
First Reading

L. Consideration of the Fiscal Year 2025 Danville Public Schools Budget.
Council Letter Number CL - 1260.

1. Public Hearing
2. A Resolution Approving the Budget of the School Board of the City of Danville for the Fiscal Year Ending June 30, 2025.
First Reading

M. Consideration of Fee Changes Effective July 1, 2024.
Council Letter Number CL - 1261.

1. Public Hearing
2. An Ordinance Amending and Establishing and Increasing Certain Fees of the City of Danville Effective July 1, 2024, Except Where Otherwise Stated.
First Reading

N. Consideration of a Personal Property Tax Decrease.
Council Letter Number CL - 76.

1. Public Hearing
2. An Ordinance Amending and Reordaining Section 37-30 of the Danville City Code to Decrease the Personal Property Tax from \$3.60 per \$100 of Assessed Value to \$3.45 per \$100 of Assessed Value Effective January 1, 2025.
First Reading

O. Consideration of a Transient Lodgers Occupancy Tax Increase.
Council Letter Number CL - 82.

1. Public Hearing
2. An Ordinance Amending and Reordaining Section 37-97 of the Danville City Code to Increase the Per Day Room Occupancy Tax from \$2.00 to \$3.00 Effective July 1, 2024.
First Reading

P. Consideration of Authorizing and Approving a West Piedmont Workforce Agreement.
Council Letter Number CL - 1315.

A Resolution Approving the West Piedmont Workforce Innovation and Opportunity Act Consortium Agreement Between the Jurisdictions in the West Piedmont Workforce Investment Area.

Q. Consideration of a Resolution Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Authorizing the City Manager to Convey such Property to the United States Department of Veterans Affairs.

Council Letter Number CL - 1259.

A Resolution Declaring Certain City-Owned Property to be Surplus to the Needs of the City and Authorizing the City Manager to Convey Such Property to the United States Department of Veterans Affairs.

- R. Consideration of the Release of Liens and Taxes Against Parcel 22973 Lee Street to Facilitate its Transfer to the Department of Veterans Affairs.

Council Letter Number CL - 1255.

A Resolution Approving and Authorizing the Release of City-Held Liens Against Real Property Identified as Parcel #22973 Lee Street, to Facilitate its Donation to the Department of Veterans Affairs.

- S. Consideration of Approval of a First Amended and Restated Development Agreement between the City of Danville, Virginia and Caesars Entertainment.

Council Letter Number CL - 1316.

A Resolution of the City Council of the City of Danville Virginia Formally Approving an Amended and Restated Casino Resort Development Agreement By and Among the City of Danville, the Industrial Development Authority of Danville, Virginia, Caesars Virginia, LLC, and Caesars Entertainment, Inc.

- T. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for the Victim Witness Grant Program

Council Letter Number CL - 1298.

An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a Grant from the State for a Victim Witness Program in the Amount of \$164,687, with a Local Match of \$2,000 for a Total of \$166,687, and Appropriating Same.

First Reading

- U. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Department of Criminal Justice Services Grant for School Resource Officers.

Council Letter Number CL - 1275.

An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services Fiscal Year 2024 School Resource Officer Grant Program in the Amount of \$88,117 and a Local Share in the Amount of \$29,749 for a Total Appropriation of \$117,866 and Appropriating Same.

First Reading

- V. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues to Fund Capital Projects.

Council Letter Number CL - 1325.

An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues from Business Occupancy License Taxes to Fund Capital Projects an Appropriation in the Amount of \$600,000 and Appropriating the Same.

First Reading

COMMUNICATIONS FROM VISITORS

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Each individual speaker 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.

COMMUNICATIONS

A. City Manager

B. Deputy City Manager

C. City Attorney

D. City Clerk

E. Roll Call

ADJOURNMENT