

May 21, 2024

The Second May meeting of the Danville City Council was held on May 21, 2024, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: 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 (8). James B. Buckner was absent. (1) *Mr. Vogler entered the meeting at 7:05 p.m.*

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

The Invocation was given by Pastor Jermaine Parker; followed by the Pledge of Allegiance. Council thanked Pastor Parker for everything he has done for Danville and for the youth in the community.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding Budget Appropriation items. Notice of the Public Hearing was published in the *Danville Register & Bee* on May 14, 2024. No one present desired to be heard and the Public Hearing was closed.

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

Consideration of Approval of Minutes from Regular Council Meeting held on April 16, 2024. Draft copies of the minutes had been distributed prior to the meeting.

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

An Ordinance Entitled, Ordinance No. 2024-05.14, 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.

Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Department of Criminal Justice Services Grant for School Resource Officer

An Ordinance Entitled, Ordinance No. 2024-05.15, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenue from the 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.

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

An Ordinance Entitled, Ordinance No. 2024-05.16, an Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues from Business Occupancy License

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Taxes to Fund Capital Projects an Appropriation in the Amount of \$600,000 and Appropriating the Same.

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

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

APPOINTMENTS

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

Resolution 2024-05.08 - A Resolution Reappointing William Allgood to the Airport Commission.

Resolution 2024-05.09 - A Resolution Reappointing Philip Hall to the Airport Commission.

Resolution 2024-05.10 - A Resolution Reappointing Hampton Wilkins to the Airport Commission.

Resolution 2024-05.11 - A Resolution Appointing Douglas Appleton to the Airport Commission.

Resolution 2024-05.12 - A Resolution Reappointing Toshia Martin to the Danville Community College Board.

Resolution 2024-05.13 - A Resolution Reappointing Tammy Warren to the Danville Community Policy and Management Team.

Resolution 2024-05.14 - A Resolution Reappointing Jerome Holman to the Danville Community Policy and Management Team.

Resolution 2024-05.15 - A Resolution Reappointing Anna Kautzmann to the Danville Utility Commission.

Resolution 2024-05.16 - A Resolution Reappointing Steven Merricks to the Danville Utility Commission.

Resolution 2024-05.17 - A Resolution Reappointing Mark Holland to the Institute for Advanced Learning and Research.

Resolution 2024-05.18 - A Resolution Reappointing Kathy Andrews to the Social Services Advisory Board.

Resolution 2024-05.19 - A Resolution Appointing Kelly Cunningham to the Social Services Advisory Board.

Resolution 2024-05.20 - A Resolution Appointing Mattie Carter to the Social Services Advisory Board.

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

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

OLD BUSINESS

CONSIDERATION OF AN ORDINANCE AMENDING ARTICLE IV, ENTITLED "REAL ESTATE AND MOBILE HOME TAX EXEMPTION AND DEFERRAL FOR CERTAIN ELDERLY AND DISABLED PERSONS,"

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

ORDINANCE NO. 2024-05.10

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.

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

Council Member Vogler thanked staff, council members, and everyone that helped to make this Ordinance happen. Two years ago, Council raised the income level from \$20,000 to \$30,000, last year it was raised from \$30,000 to \$35,000 and this year, it was being raised to \$40,000. This has helped some citizens in the last few years and believed this change would help a lot more senior citizens and disabled to get tax relief on their Real Estate Tax.

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

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

CONSIDERATION OF THE FISCAL YEAR 2025 DANVILLE PUBLIC SCHOOLS BUDGET

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

RESOLUTION NO. 2024-05.03

A RESOLUTION APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2025.

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

VOTE: 7-0-1-1
AYE: Campbell, Hood, Jones, Miller,
Saunders, Vogler and Whittle (7)

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NAY: None (0)
ABSENT: Buckner (1)
ABSTAIN: Mayo (1)

CONSIDERATION OF FEE CHANGES EFFECTIVE JULY 1, 2024

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

ORDINANCE NO. 2024-05.11

AN ORDINANCE AMENDING AND ESTABLISHING AND INCREASING CERTAIN FEES OF THE CITY OF DANVILLE EFFECTIVE JULY 1, 2024, EXCEPT WHERE OTHERWISE STATED.

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

VOTE: 4-4-1
AYE: Jones, Mayo, Miller, Saunders (4)
NAY: Campbell, Hood, Vogler, Whittle (4)
ABSENT: Buckner (1)

CONSIDERATION OF A PERSONAL PROPERTY TAX DECREASE

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

ORDINANCE NO. 2024-05.12

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.

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

Council Member Vogler noted Council and staff worked together over the last several months, made it a priority to look out for the citizens and provide tax relief for them; this was a great step in the right direction. Council Member Whittle noted his agreement with Mr. Vogler and his appreciation of Council and staff working on this item. Council Member Campbell noted he was thankful he was able to vote no on increasing any types of fees, and on this item to decrease taxes.

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

VOTE: 7-1-1
AYE: Campbell, Hood, Jones, Mayo, Miller, Vogler and Whittle (7)
NAY: Saunders (1)
ABSENT: Buckner (1)

CONSIDERATION OF A TRANSIENT LODGERS OCCUPANCY TAX INCREASE

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

ORDINANCE NO. 2024-05.13

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AN ORDINANCE AMENDING AND REORDAINING SECTION 37-97 OF THE DANVILLE CITY CODE TO INCREASE THE PER DAY ROOM OCCUPANCY TAX FROM \$2.00 (TWO) TO \$3.00 (THREE) EFFECTIVE JULY 1, 2024.

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

VOTE: 7-0-1-1
AYE: Campbell, Hood, Jones, Mayo, Miller,
Saunders and Vogler (7)
NAY: Whittle (1)
ABSENT: Buckner (1)

NEW BUSINESS

CONSIDERATION OF REAL ESTATE TAX DECREASE

Mayor Jones opened the floor for a Public Hearing regarding a Real Estate Tax Decrease. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 16, 2024. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2024-05.17

AN ORDINANCE AMENDING AND REORDAINING SECTIONS 37-27, 37-28 AND 37-29 OF THE DANVILLE CITY CODE THEREBY DECREASING THE REAL ESTATE TAX FROM EIGHTY-FOUR (84) CENTS ON EVERY ONE HUNDRED DOLLARS TO EIGHTY-THREE (83) CENTS ON EVERY ONE HUNDRED DOLLARS OF ASSESSED VALUE EFFECTIVE JULY 1, 2024.

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

CONSIDERATION OF AN ORDINANCE TO AUTHORIZE BONDS FOR ELECTRIC DISTRIBUTION EXPANSION

Mayor Jones opened the floor for a Public Hearing regarding a Bond Issuance. Notice of the Public Hearing was published in the *Danville Register & Bee* on May 7, 2024, and May 14, 2024. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2024-05.18

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$25,000,000 TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL PROJECTS.

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

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CONSIDERATION OF THE SECOND AMENDMENT TO THE COMPREHENSIVE AGREEMENT BETWEEN THE DANVILLE SCHOOL BOARD AND BRANCH BUILDS, INC. FOR A NEW ARNETT HILLS ELEMENTARY SCHOOL

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

RESOLUTION NO. 2024-05.21

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING A SECOND AMENDMENT TO THE COMPREHENSIVE AGREEMENT BETWEEN THE SCHOOL BOARD OF THE CITY OF DANVILLE AND BRANCH BUILDS, INC. IN ACCORDANCE WITH VIRGINIA CODE § 56- 575.16(5).

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

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

COMMUNICATIONS

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

Council Member Campbell stated he was happy to see how Council was able to work together in reference to their citizens in reference to increases, and they were looking at decreasing and not increasing especially where the City has such a surplus of funds in their community. It was a wise decision.

Vice Mayor Miller noted that it was easy not to vote on raising taxes, but the City Manager and staff carefully worked on balancing the budget. The hard part was, where were they going to come up with the money that was given up by not increasing fees. Dr. Miller asked the City Manager to comment on that and the cost. City Manager Ken Larking stated the fees that were proposed were across multiple funds in the General Fund, the impact was a little over \$143,000 which will need to be made up in some way to balance the budget. The Sanitation Fund increase was \$404,760 in revenue; in the Sanitation Fund, the revenue was generated according to the monthly fees and covers the cost of the program to collect solid waste, recycling, yard waste, and also code enforcement; it was operating at a deficit right now. Mr. Larking noted it would take some work to figure out how to make that fund balance. It was the same with the Cemetery Fund, it was operating at a deficit, and the \$299,800 was to help it to not be in a deficit; that cost will have to be made up somewhere. Typically, the cost of the Cemetery was about maintenance of the cemeteries throughout the City. The City, like everyone else, experiences costs that go up related to mowing, and maintenance. Mr. Larking stated the Sanitation Fees and the Cemetery Fees were the ones that concerned him the most, that would be the most difficult to find some remedy. Dr. Miller stated it was not good practice to run funds that were not self-sustaining by taking funds that could be used elsewhere. Dr. Miller noted Council will be dedicating the first of their splash pads at the 3rd Avenue Splash Pad opening on Thursday, May 23, and thanked the School Board again for the outstanding work on their budget presentation.

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Council Member Saunders noted he was glad Council was trying to give some consideration to the citizens; he thought they need to be aware that everyone was not realizing the wealth and success in the City as they would like. There were still people who were trying to raise their families and be self-sufficient; the poverty rate was high. The schools were doing great, their needs continue, and they were meeting those priorities. Mr. Saunders cautioned Council that as they look at cutting taxes, they need to make sure they were prepared to do that because there were going to be needs that have not realized yet; there was more work to do.

Council Member Vogler noted Robert Brooks passed away over the weekend, he was a true advocate for this city and region, and he was very saddened to hear about that. Mr. Vogler recognized Averett University who hosted the Jody Carroll dance recitals this past week. Mr. Vogler noted several months ago, his goal was to have a people first budget; Council wanted to look out for their citizens. Now that times were getting better, they wanted to let them know they had not forgotten about them. They lowered the Personal Property tax, they expanded tax relief for seniors but for him personally, he could not vote to lower the taxes and then turn around and raise fees.

Council Member Whittle noted he had a constituent in Beverstone who asked about paving, and questioned if the City had a schedule; Mr. Larking stated there was, it was based on an evaluation of the streets in the City. If someone has a specific concern about one, the City can evaluate it. Mr. Whittle stated that Robert Brooks was a good friend and sent condolences to the family. Mr. Whittle discussed the performance agreement with Caesars relating an amphitheater, conference center and entertainment venue.

Mayor Jones stated the Festival in the Park was absolutely phenomenal; to all the sponsors and everyone involved, he thanked them for being a part of that. Council voted for Arnett Hills Elementary school, to add an addition to what was already planned; that was huge and thanked Council for voting on that. Mayor Jones noted people flew in today for the properties of Purdum Woods, who has new management, they have new contractors cleaning up, and the police department was now tapped into their cameras; they have access to everything that was going on in Purdum Woods. Mayor Jones noted the City Manager and his budget team presented an excellent budget; now the City Manager has said there were two areas where the City was not being successful and thinks Council was saying use the money from Caesars for those funds. If the City does that and if the economy changes, they will have to figure out a way to sustain those things. Mayor Jones also heard from Council that they want to take some of the Caesars money to build up the City's rainy-day fund, and he agrees with that; the City has to be smart. Mayor Jones thanked Council for the hard work they do, and the City Manager and his team.

The meeting was adjourned at 7:50 pm.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK