

September 3, 2024

The Regular September meeting of the Danville City Council was held on September 3, 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: James B. Buckner, L.G. "Larry" Campbell, Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry P. Mayo, Vice Mayor Gary P. Miller, J. Lee Vogler, Jr., and Madison J.R. Whittle (8). Sherman M. Saunders was absent (1). *Mr. Whittle entered the meeting at 7:01 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. Mayor Jones asked for a moment of silence for Council Member/Vice Mayor David Luther who passed away recently.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member J. Lee Vogler, Jr., gave the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Presentation of Fire Department ISO 1 Public Protection Classification

Presented By: Chief David Coffey

Chief Coffey gave a brief presentation to Council regarding the Danville Fire Department receiving an ISO 1 Public Protection classification; this was a re-evaluation that occurred every five years. The last inspection was conducted in 2019 and the Fire Department received a score of 92.5; this year the fire department received a score of 95.88. Chief Coffey noted this spoke volumes to the amount of work the men and women of the Danville Fire Department have done, and recognized those members who worked hard to make this happen. Council Members congratulated the Fire Department and commended them for the hard work and dedication to the City; Chief Coffey thanked Council for their support.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Consent Agenda Items. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 27, 2024. No one present desired to be heard.

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

Approval of Minutes from Regular Council Meeting held on August 6, 2024. Draft copies of the minutes had been distributed prior to the meeting.

Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a DCJS Grant for the Office of Violence Prevention

An Ordinance Entitled Ordinance No. 2024-08.09, Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department of Criminal Justice Services – Fiscal Year 2025 Firearm Violence Intervention and Prevention Grant Program in the Amount of \$142,000 and Appropriating the Same.

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Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a Virginia Department of Conservation and Recreation Grant for White Mill Dam Removal

An Ordinance entitled, Ordinance No. 2024-08.10, an Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department of Conservation and Recreation - Dam Safety, Flood Prevention and Protection Assistance Grant Program in the Amount of \$250,000 and a Local Share in the Amount of \$250,000 for a Total Appropriation of \$500,000 and Appropriating the Same.

Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a Department of Criminal Justice JAG Grant to Purchase Equipment Shields

An Ordinance entitled, Ordinance No. 2024-08.11, an Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services – Fiscal Year 2024 Byrne/JAG Law Enforcement Equipment Grant in the Amount of \$12,000 and a Local Share in the Amount of \$4,000 for a Total Appropriation of \$16,000 and Appropriating Same.

Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for a Department of Criminal Justice School Resource Officer Grant

An Ordinance entitled, Ordinance No. 2024-08.12, an Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services – Fiscal Year 2025 School Resource Officer Grant Program in the Amount of \$103,415 and a Local Share in the Amount of \$32,855 for a Total Appropriation of \$136,270 and Appropriating Same.

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,
Vogler and Whittle (8)
NAY: None (0)
ABSENT: Saunders (1)

APPOINTMENTS

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

Resolution No. 2024-09.01 - A Resolution Reappointing Paul Liepe to the Commission of Architectural Review.

Resolution No. 2024-09.02 - A Resolution Appointing Luke Ramsey to the Commission of Architectural Review.

Resolution No. 2024-09.03 - A Resolution Reappointing Tyrell Payne to the Community Improvement Council.

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

VOTE: 8-0-1

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

NEW BUSINESS

CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY 400 BRIDGE LLC AT 400 BRIDGE STREET (PARCEL 21490) TO REQUEST WAIVER OF MAXIMUM DENSITY

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 400 Bridge Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on August 20, 2024, and August 27, 2024.

Mayor Jones recognized Adam Vaught, representing 400 Bridge LLC, who appeared before Council to ask for their consideration in changing the zoning so that the project could move forward. This project was twenty-five units, a mixture of one and two bedrooms, and will be finished in the early summer next year. 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. 2024-09.01

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ24-00331, FILED BY 400 BRIDGE LLC, REQUESTING A SPECIAL USE PERMIT TO ALLOW A WAIVER OF MAXIMUM DENSITY AT PARCEL 21490 (400 BRIDGE STREET) IN ACCORDANCE WITH ARTICLE 3.L. SECTION C ITEM 13.

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

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION ORDINANCE FOR OLDER AMERICANS ACT GRANT FUNDING IN THE AMOUNT OF \$422,447

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

ORDINANCE NO. 2024-09.02

AN ORDINANCE AMENDING THE FISCAL YEAR 2025 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.

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

CONSIDERATION OF AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION ORDINANCE FOR STATE AVIATION CAPITAL FUNDING

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

ORDINANCE NO. 2024-09.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE AVIATION CAPITAL GRANT FUNDING TO COMPLETE SITE PREP CONSTRUCTION PROJECTS AND DESIGN SERVICES FOR IMPROVEMENTS AT THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$3,514,729 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$392,741 FOR A TOTAL OF \$3,907,470 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 Sue Ellen Lawton, 137 Holbrook Avenue who addressed Council stating that she knew the Director of the DAHS was a deeply compassionate person who has witnessed horrific animal abuse but feared she has forgotten there were so many more loving pet parents than there were abusers. Ms. Lawton discussed the Community Cats Program in Baltimore, facilitated by Best Friends, who provided free TNVR services, acknowledged the life of community cats may be challenging and they may get hurt by predators or vehicles, but the same can be said for squirrels and raccoons or even people.

Mayor Jones recognized Katherine Wall, 127 Fairway Drive, who addressed Council about the need to update the software program in the Utilities Department; when citizens call, the phone just rings, the maps were not always correct either and thinks they need to be updated. Ms. Wall suggested possibly taking the money out of reserves to update it or use casino money. Ms. Wall thanked all the employees that pick-up trash and yard waste, they work hard, even on the holidays.

Mayor Jones recognized Amanda Cottrell, 2172 Hillside Road, Ringgold, who noted she has worked at DAHS for a little over seven years; she was the head animal caretaker there. Ms. Cottrell stated she wished the people who criticized the shelter would come spend a week working beside them; they probably wouldn't be as willing to pass judgment on the shelter. They assume that every animal they euthanized was adoptable and that was not true; animals come to them damaged physically or emotionally and they cannot be adopted out. They were excited when their adoption partners do a transfer from them and they thank them for that; the ones they take were the ones that can find homes easily: small dogs, purebred dogs and cats. Their shelter was full of pit bulls, hound dogs and other large dogs today; those breeds were great, but the reality was that it was harder for them to find homes.

Mayor Jones recognized Aaron Stainback who addressed Council noting he has been volunteering at the DAHS for about five years and did not always think highly of them; one of the main reasons he wanted to become a volunteer was to hopefully make a difference and get the word out for more people to adopt and foster, and hoped to help with the euthanasia rate. Ms.

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Dean explained to him that they were not a “no kill shelter;” in order for them to become a no kill shelter, they would have to turn animals in need away; those would most likely end up on the street. They never turn any animals away. The main things they needed to push was for more people to adopt, to foster, and more people to volunteer. He started taking pictures of each cat and dog, putting them on the website and Facebook and eventually became a member of the board. Mr. Stainback encouraged citizens to volunteer and see what they could do to help: Adopt, Foster, Volunteer. They need to stop the hate, stop the drama, stop the hurtful comments and start working together. They all have the same goal, to save animals.

COMMUNICATIONS

City Manager Ken Larking noted his agreement with what Chief Coffey said earlier about giving credit to the Council for the resources that were provided to all City departments, and the Fire Department in particular. Without the resources that were allocated through the budget process it would be very difficult for the Fire Department to reach an ISO 1 rating.

City Attorney Clarke Whitfield noted his condolences to the family of Vice Mayor T. David Luther.

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

Council Member Mayo noted his condolences to the family of Vice Mayor Luther. Mr. Mayo stated this past weekend was wonderful, celebrating a 40-year class reunion, the 1984 George Washington High School Eagles.

Vice Mayor Miller noted David Luther was in broadcasting for 60 years; he was on Council when Dr. Miller was on Council; he mentored him and others. He did so much for the community; Danville was a better place when David Luther was there. Dr. Miller noted Mary's Diner closed after 73 years in business in Danville, and today he took a tour with the project manager who showed him around the different schools. They were building these schools for the future.

Council Member Vogler expressed his condolences to the family of David Luther and that Council was praying for them. This Friday was the home opener for the GW Football Eagles; if citizens haven't been to the football stadium in a while, the changes were unbelievable and encouraged them to come to the game and support the students. Mr. Vogler thanked all the City employees, especially those who work on the holidays.

Council Member Whittle noted he was glad the City paid for the training for the firefighters. Mr. Whittle noted Ralph Rynes was having a giveaway on Sunday at 420 Wilson Street, 3-5 p.m., and encouraged citizens to check it out. Mr. Whittle noted his condolences to the Luther family.

Council Member Buckner noted his agreement with what has been said about David Luther, he was a great man; he left behind a great legacy. Mr. Buckner thanked Mr. Luther's family and he will be missed.

Council Member Campbell noted he had the experience of being on Council with David Luther, was on the nominating committee for Boards and Commissions as well; they were both also in radio and had a relationship based on that. Rev Campbell asked the City Manager why a citizen cannot get a hotel room in the City and Mr. Larking noted it was his understanding that some hotels have a rule that says if someone lives within a certain distance of the hotel, they will not let the citizen get a room. There were probably a variety of reasons for that and has heard that the hotels were concerned if it was a local person, that they were using the rooms for a party that the

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operators would prefer not happen. The City does not have any way to control what the owner of the hotel does or doesn't do, there was no regulation on that. Mr. Larking noted that they have had situations where if there has been a weather event and an outage, staff will reach out to operators and let them know they have local citizens who could use a room; hotels have been lenient in those cases but it does require some interaction to make that happen.

Council Member Hood noted his condolences to the Luther and Brandon families on the passing of their loved ones. A shout out to the work of the Danville City Fire Department, and acknowledged a Danville native and Danville Public School graduate, former Miss Black Teen Danville and former Miss Black Teen World, Angela Redmond. She reached a significant milestone by receiving an RIAA Platinum Certification for over 1M albums sold, as she was the feature artist on platinum music artist Jay-Z single, *Feeling It*.

Mayor Jones noted David Luther and Corey cannot hear the wonderful things that have been said tonight, but to their families, he hoped they heard it. David was one of the Council Members who, when they had an appointed school board, was the person who appointed the Mayor to the School Board. To Corey's family, he was one of the nicest young men, and to both David and Corey's family, they will be truly missed. GW Football kicks off on Friday night and Averett Football on Saturday night and encouraged citizens to come out.

ADJOURNED: 8:06 p.m.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK