



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

October 15, 2024

7:00 PM

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS:	James B. Buckner	Dr. Gary P. Miller, Vice Mayor
	L.G. "Larry" Campbell, Jr.	Sherman M. Saunders
	Bryant Hood	J. Lee Vogler, Jr.,
	Barry P. Mayo	Madison J. Whittle

STAFF:	Ken F. Larking, City Manager	W. Clarke Whitfield, Jr., City Attorney
	Earl B. Reynolds, Jr., Deputy City Manager	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 - JAMES B. BUCKNER

PLEDGE OF ALLEGIANCE TO THE FLAG

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 from Regular Council Meeting and Regular Work Session held on September 17, 2024.
Council Letter Number CL - 1636.

- B. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for an Aviation Promotion Grant.
Council Letter Number CL - 1564.

An Ordinance Amending the Fiscal Year 2025 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.

Final Adoption

- C. Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funds for the Housing Study Action Plan.
Council Letter Number CL - 1609.

An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funding from Unassigned General Fund Balance for the Housing Study Action Plan in the Amount of \$2,000,000 and Appropriating Same.

Final Adoption

APPOINTMENTS

- A. Consideration of Appointments to the following Boards and Commissions.
Council Letter Number CL - 1637.

1. A Resolution Reappointing Vanessa Cain to the Danville Redevelopment and Housing Authority.
2. A Resolution Reappointing Faye Brown to the Danville Redevelopment and Housing Authority.
3. A Resolution Reappointing Andrew Hessler to the River District Design Commission.

4. A Resolution Reappointing Courtney Nicholas to the River District Design Commission.

NEW BUSINESS

- A. Review of General Fund Financials as of September 30, 2024.
Council Letter Number CL - 1504.

Review of General Fund Financials as of September 30, 2024. Financial Statements are included.

- B. Consideration of Electric Easement Vacations at the Southern Virginia Megasite at Berry Hill.
Council Letter Number CL - 1560.

1. Public Hearing
2. A Resolution Authorizing the Abandonment of Three City Easements Across Property Located in Pittsylvania County.

COMMUNICATIONS FROM VISITORS

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COMMUNICATIONS

- A. City Manager
- B. Deputy City Manager
- C. City Attorney
- D. City Clerk
- E. Roll Call

ADJOURNMENT

Council Letter
City of Danville, Virginia



CL - 1636

CONSENT AGENDA A.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Approval of Meeting Minutes

From: Susan DeMasi, City Clerk

COUNCIL ACTION

Consideration of Approval of Minutes from Regular Council Meeting and Regular Work Session held on September 17, 2024.

Attachments

1. Meeting Minutes
 2. Meeting Minutes - Work Session
-

September 17, 2024

The Second Regular September meeting of the Danville City Council was held on September 17, 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., Mayor Alonzo L. Jones, Barry Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (7). James B. Buckner and Bryant Hood were absent. (2). *Mr. Whittle entered the meeting at 7:03 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

Vice Mayor Gary P. Miller gave the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Presentation: Virginia Association of Chiefs of Police Lifesaving and Valor Awards
Presented By: Police Chief Chris Wiles

Chief Wiles addressed Council noting last week, three officers, including Sargeant Clarence Goins and Officer Seth Parker, were recognized and presented Valor Awards in Roanoke; the awards were presented by the Governor. Tonight, he would like to present Lifesaving Awards to two additional officers. Chief Wiles asked officers Jacob Amos and Isaiah Rosser to come to the podium, and read a citation of the incident that occurred with an armed citizen. The suspect turned the gun on the officers and was subsequently shot. Sargeant Amos and Officer Rosser immediately responded by performing lifesaving measures on the suspect. Chief Wiles also read the citation that was awarded to Sargeant Goins, Officer Parker, and Officer Nicholas Smithers for reacting with exemplary bravery and precision; they also rendered first aid to the suspect. Mayor Jones presented the Awards to the officers. Council congratulated the officers for the lifesaving measures performed that night, their bravery in the situation, and for all that the police department does to help protect and serve the citizens of Danville all day, every day.

Mayor Jones questioned the threats recently made to Danville City Schools, and Chief Wiles stated that all threats were taken seriously and those who make the threats will be charged with a violent felony charge. Mayor Jones asked the City Attorney to explain the difference between a misdemeanor and a felony charge, and City Attorney Clarke Whitfield explained that misdemeanors serve jail time locally at the Annex, but violent felony charges serve time in the State Penitentiary facility, which was wherever the Virginia Department of Corrections chooses to send them. Mayor Jones asked parents and students to understand the seriousness of the matter and the importance of talking to their children about these situations.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding Budget Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 10, 2024. No one present desired to be heard and the Public Hearing was closed.

Vice Mayor Miller **moved** for adoption of the following Consent Agenda items:

September 17, 2024

Consideration of Approval of Minutes from Regular Council Meeting held on August 20, 2024.
Draft copies of the minutes had been distributed prior to the meeting.

Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for Older Americans Act Grant Funding in the Amount of \$422,447

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.

Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance for State Aviation Capital Funding

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.

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

NEW BUSINESS

REVIEW OF GENERAL FUND FINANCIALS AS OF JUNE 30, 2024

Michael Adkins, Chief Financial Officer, noted these results were through the end of August which marks two months into the new fiscal year or 17% complete. Revenues were just under \$20M, which was 12% of budget. The reason it had not reached 17% was because not all of the City's revenues come in equally throughout the year. Personal property taxes and real estate taxes have two collection cycles and there has not been one yet this year. This was an increase of \$2.4M over last year at this time; a little more than half of this increase was just a timing difference. The City received about \$1.4M of state revenues during the month of August, where last year they did not receive those until September or October. The rest of the increase was primarily the local consumer taxes; they do make up a significant portion of the budget. Sales tax was at \$2.4M or 18.5% of budget, about 1.5% ahead of budget, and an increase of \$340,000 over last year. The Sales tax the City received during the month of August was for June retail, and was the second highest monthly collection of sales tax the City has seen. Meals tax was at \$2M or 18% of budget, also running about 1% ahead of budget after two months, an increase of \$126,000 over last year. Lodging tax was at \$616,000 or 17.5% of budget; an increase of \$71,000 over last year. Business licenses were at \$538,000 or 7% of budget; most of those were renewed annually during the month of March so the large collection of Business Licenses was yet to be seen; this was an increase of \$78,000 over last year. Real Estate did not have much activity because the collection cycle has not come yet, but they do receive a significant portion of their Delinquent real estate tax during the first quarter and after two months of collection, the City was at \$288,000 of delinquent real estate collected or 25% of budget.

September 17, 2024

On the Expenditure side, Departmental spending was held at 15.5% of budget, a little more than 1% under at this point. Nondepartmental spending, which was primarily group health insurance and debt service, was on target at 17% of budget. Statement transfers to capital projects, schools and other support were at 33% of budget; this varies on when the transfers were made. Expenses have exceeded revenue by almost \$14.7M which was normal for this time of the year; a lot of the revenues have not been collected yet.

CONSIDERATION OF A LAND LEASE AGREEMENT TO SUPPORT AIR AMBULANCE OPERATIONS

Mayor Jones opened the floor for a Public Hearing regarding a Land Lease Agreement. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 3, 2024, and September 10, 2024. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2024-09.04

A RESOLUTION APPROVING THE REQUEST OF THE AIR METHODS CORPORATION FOR THE CITY OF DANVILLE TO ENTER INTO A LAND LEASE AGREEMENT TO CONSTRUCT A MODULAR BUILDING AT THE DANVILLE REGIONAL AIRPORT TO SUPPORT AIR AMBULANCE OPERATIONS.

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

Council Member Whittle asked how this would work with the Danville Life Saving Crew's rescue squad and their air ambulance. Carly Smith, business manager for AirLife Virginia, noted they work with Air Methods, and they have a great relationship with the Danville Life Saving Crew. Right now, they operate an air ambulance base in Martinsville and they fly to Danville frequently leaving their main requesting area out of service. They have been discussing this with the Lifesaving Crew for a couple of years, trying to get something here; they were fully supportive, as was the hospital. Vice Mayor Miller commended the group, they do an excellent job in getting those heart patients to Danville quickly.

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

CONSIDERATION OF ADOPTING AN ARTS AND CULTURE PLAN FOR THE CITY OF DANVILLE

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

RESOLUTION NO. 2024-09.05

A RESOLUTION AUTHORIZING THE ADOPTION OF THE ARTS AND CULTURE PLAN OF THE CITY OF DANVILLE, VIRGINIA.

September 17, 2024

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

CONSIDERATION OF AMENDING THE DANVILLE CITY CODE TO ADD THE PUBLIC ARTS COMMISSION

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

ORDINANCE NO. 2024-09.04

AN ORDINANCE REPEALING AND REORDAINING IN ITS ENTIRETY ARTICLE XIV., ENTITLED "TOURISM BOARD", OF CHAPTER 2., ENTITLED "ADMINISTRATION", OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED BY ADDING A NEW ARTICLE XIV., ENTITLED "DANVILLE PUBLIC ARTS COMMISSION".

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

Council Member Vogler noted expanding arts and culture in the community was very important and was something they have tried to do more and more of over the years, particularly as more resources become available. Mr. Vogler stated the thing he liked that they were involving the community and letting the people of Danville have a voice in what the future of arts and culture looks like in the City. Vice Mayor Miller noted this was the evolution of the City's progress; they have redone the downtown, working on housing and jobs, workforce training and eventually as the City grows and matures, they need arts and culture.

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

CONSIDERATION OF A RESOLUTION ENDORSING A VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT FUNDING APPLICATION BY PITTSYLVANIA COUNTY

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

RESOLUTION NO. 2024-09.06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANVILLE, VIRGINIA ENDORSING A VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT FUNDING APPLICATION BY PITTSYLVANIA COUNTY, VIRGINIA FOR DESIGN AND CONSTRUCTION OF ORPHANAGE ROAD / FRANKLIN TURNPIKE SIGNAL.

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

September 17, 2024

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AMERICAN MUNICIPAL POWER TO PURCHASE RENEWABLE ENERGY CREDITS

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

RESOLUTION NO. 2024-09.07

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AMERICAN MUNICIPAL POWER TO PURCHASE RENEWABLE ENERGY CREDITS.

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

Council Member Whittle asked to be brought up to speed, and Jason Grey, Director of Utilities explained that a lot of the City's industrial customers were asking for renewable energy credits to offset fossil fuel generation. This was an economical way to do that, purchasing the renewable energy credits on the market.

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (7)
NAY: None (0)
Absent: Buckner and Hood (2)

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Alexis Adams, 155 Nelson Avenue, who passed out correspondence to Council Members regarding the Danville Area Humane Society. Mrs. Adams spoke to Council about her experience setting up DAHS and her opposition to the way DAHS was being operated.

Mayor Jones recognized Helen McKenzie, resident and owner of Jacob Real Estate, who spoke on behalf of DAHS and the help they have provided over the years by not turning animals away no matter their condition. Ms. McKenzie noted, ending suffering should be what the community was focusing on, and asked Council to help find a way, as a community, to help fund DAHS to continue the work they do.

Mayor Jones recognized Lewis Palmer, who spoke to Council about a puppy mill being run within City limits. He stated that the City's animal control officer has been involved in several incidents. Mr. Palmer referenced a Facebook post that was removed after an individual was verbally attacked by someone at DAHS.

Mayor Jones recognized Sue Bell, Executive Director of Homeward Trails, 11116 Fairfax Station Road in Fairfax, VA who spoke to Council about efforts her organization has made to help deliver

lifesaving services to animals in Danville. She spoke about the DAHS and opportunities given to them that have been turned down including \$10,000 her organization offered DAHS to start an adoption program at the shelter.

Mayor Jones recognized Dr. Monica Motley who spoke to Council on behalf of the Flint Pearl Restoration Society, about safety, blight, and rising crime in that neighborhood. She presented Council with a narrative of impacts and issues within the community, noting they have made tremendous contributions and strides in improving safety and other concerns, but more help was needed by Council regarding inspections, removal of blight properties and other concerns.

COMMUNICATIONS

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

Vice Mayor Miller stated a citizen called him yesterday because she was unable to make it to her doctor's appointment, wanted to know if there was a shortage of drivers and what was being done to get the senior citizens where they need to go. City Manager Ken Larking stated that it has been an ongoing issue hiring drivers within the Transportation Department and getting individuals to apply for those jobs. Dr. Miller noted National Night Out was October 8 starting at 4:30 pm in the Westmoreland neighborhood, and encouraged citizens to get their Covid 19 vaccines. Early voting begins this Friday, avoid lines and go vote now.

Council Member Saunders stated regarding DAHS it was understood that the City was compliant, questioned what agency oversees the shelter, and have there been talks to build another shelter. Mr. Larking stated that VDACS was the overseeing agency for animal shelters. There have been some issues in the past few months with minor things like water collection that have been corrected. There were no known talks of another shelter being built but if one was to be built it would have to be in zoning compliance just like any other business. Mr. Saunders spoke about school threats and how important awareness was in situations like that. Prayer was one way to address it and another way was to get parents involved in a positive way.

Council Member Vogler thanked Dr. Motley for the presentation and for not only citing an issue but having data backing it up along with possible solutions. Mr. Vogler thanked every citizen that came up and spoke tonight; that was what Council was there for, to listen to their constituents. Mr. Vogler noted he hoped that they can soften the harshness of some comments because they all should be able to find solutions to these issues. Mr. Vogler noted citizens do not have to make an appointment to talk with him, his cell number is 434-548-5335. Mr. Vogler encouraged parents to talk to their children, educate them about the seriousness of making these threats and the consequences that will result from it.

Council Member Whittle noted that he toured the Lynchburg Humane Society and will be touring the shelter in Charlottesville. There has been a lot of information that has been given from each side, and believed they can work through this and come up with solutions that please everyone. Mr. Whittle spoke on the seriousness of school threats and how parents can be held accountable for their children's actions as well; it would be great to have some type of public address go out.

Council Member Campbell stated individuals have called wanting to know if the city manager can give more details about the funds that have been received from Caesars and what the City was doing with those funds. Mr. Larking stated those documents can be found by googling "Danville Casino Information" which will take citizens to the page that details everything related to work at

September 17, 2024

the Danville casino and the City's partnership with Caesars. The first link was the Investing in Danville Committee report which was recently updated; that lists the various high priority items the City uses as a guide when developing the annual budget document. Citizens can also google the "Danville VA Budget" and view the actual adopted budget that outlines where casino funding went. Citizens were also welcome to call his office at 434-799-5100 for any questions.

Council Member Campbell stated there was concern regarding DAHS and the euthanasia rate, why was it so high. Mr. Larking stated they were an open shelter who accepts every animal no matter their condition, from Danville and surrounding counties; they do not refuse any animals, that was one reason the rate was so high. Mayor Jones suggested that Council Member Campbell speak with Paulette Dean, and Rev Campbell stated he has several times and there needed to be a work session to address the needs and the different stories that were being told. Council Member Saunders stated he brought the issue up because he knows the City Manager was on top of this and if he had further questions he will contact the City Manager. Council Member Campbell asked the City Manager if another shelter was being considered and if there were improvements that can be made, and Mr. Larking stated there has been no talk of another shelter being built. Every organization has room for improvement and the City has been meeting with Best Friends, Danville Deserves Better, and Paulette Dean on multiple occasions to help improve the situation. Rev Campbell stated that all of this should not solely be on the City Manager to handle and that Council as a group should be engaging as much as possible to help this move forward. Mayor Jones stated when the City Manager needs Council, he will reach out to them; Council does not need to fan the flames.

Council Member Mayo thanked everyone for coming out and expressing their concerns tonight; Council hears them. Regarding school threats, Mr. Mayo encouraged parents to please talk to their children because this was a serious matter with serious implications. Mr. Mayo noted that DCC annually hosts a job and resource fair to help the citizens with employment and resources; they currently have almost 60 vendors scheduled offering over 700 jobs. This year the job and resource fair will be on November 14 from 10:00 am to 4:00 pm at the Community Market. Danville was on the move and will continue to grow.

Mayor Jones thanked Dr. Motley for her presentation and how exciting it was that she left and came back home to her city to do great things. The Salvation Army, Boys and Girls Club, Big Brothers and Big Sisters, and Danville Based Tutorial have come together to form a partnership. Mayor Jones noted the school threats were a serious matter and there were very serious, life altering consequences.

The meeting was adjourned at 8:41 pm.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

September 17, 2024

A Regular Work Session of the Danville City Council convened on September 17, 2024, at 8:56 p.m. in the City Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Barry P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (7) James B. Buckner and Bryant Hood were absent (2) *Mr. Campbell left the meeting at 9:30 p.m. and Mr. Vogler left the meeting at 9:40 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.

MINUTES

Upon **Motion** by Council Member Whittle and **second** by Council Member Mayo, Minutes of the Regular Work Session held on August 20, 2024, were approved as presented. Draft copies were distributed to Council Members prior to the Meeting.

WORK SESSION ITEMS

CONSIDERATION OF PROPOSED CHARTER AMENDMENTS

City Attorney Clarke Whitfield noted this item was an update to the Charter; there was a lot of the Charter that was not lined up with State law. The City Charter has been amended from time to time, but this was the first comprehensive look at making everything agree with state law, and make it more readable and concise for people to understand. Mr. Whitfield asked if Council had any questions or major concerns that they would like changed; there were no questions.

Council agreed to put this on an upcoming business agenda.

CLOSED MEETING

At 8:58 p.m., Vice Mayor Miller **moved** that this meeting of the City Council of the City of Danville, Virginia be recessed and that Council immediately reconvene in a Closed Meeting for the following purposes: discussion or consideration of the acquisition and/or disposition of real property for a public purpose where discussion in an open meeting would adversely impact the bargaining position of the city as permitted by Subsection (A)(3) of Section 2.2-3711 of the Code of Virginia, 1950, as amended and more specifically to consider: discussion regarding the sale and/or potential purchase of a specific parcel of property for use by prospective industrial, commercial, and mixed use projects looking to locate to the City; an Economic Development discussion and update concerning a prospective business or industry where no previous announcement has been made and/or the expansion of an existing business or industry where no previous announcement has been made as permitted by Subsection (A)(5) of Section 2.2-3711 of the Code of Virginia, 1950, as amended and more specifically to consider an update on multiple prospective commercial, mixed use, hospitality, and industrial projects considering locating within the City and/or within the region in cooperation with the City's regional partners.

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

VOTE: 7-0-2
AYE: Campbell, Jones, Mayo, Miller,

September 17, 2024

 Saunders, Vogler and Whittle (7)
NAY: None (0)
ABSENT: Buckner, Hood (2)

Upon unanimous vote at 9:46 p.m., Council reconvened in open session and Vice Mayor Miller **moved** for adoption of the following Resolution:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Council convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia, 1950, as amended, requires a Certification by the Council that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements of Virginia Law under Section 2.2-3711 were heard, discussed or considered, and (ii) only such public business matters as were identified in the Motion by which the Closed Meeting was convened were heard, discussed or considered by the Committee.

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

VOTE: 5-0-4
AYE: Jones, Mayo, Miller,
 Saunders, and Whittle (5)
NAY: None (0)
ABSENT: Buckner, Campbell, Hood, Vogler (4)

MEETING ADJOURNED AT 10:26 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

**Council Letter
City of Danville, Virginia**



CL - 1564

CONSENT AGENDA B.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Aviation Promotion Grant.

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2025 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.

Final Adoption

SUMMARY

In August, the Virginia Department of Aviation approved an aviation promotion grant request to support an Airport Open House and Free Fly Day for children. Available grant funding will be used to support related costs for the special event. The event will be held on Saturday, November 2, 2024. A rain date will be scheduled for Saturday, November 16th.

BACKGROUND

An Airport Open House and Free Fly Day for children will be held on Saturday, November 2, 2024, at the Danville Regional Airport. The last Open House Free Fly Day occurred on April 29, 2023. A state aviation grant was awarded by the Virginia Department of Aviation to assist with financing related costs for the special event. Free airplane rides will be provided by Averett University's flight instructors for children ages 8 to 17. Tours of airport facilities will be completed as part of the Airport Open House activities.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance to appropriate state aviation promotion grant and local funds to support the special event.

Attachments

1. Ordinance
-

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2024____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025 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.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia that the 2025 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues for a grant from the Commonwealth of Virginia, Department of Aviation, in an amount of \$5,000 for promotion activities at the Danville Regional Airport, and the local share for said grant in an amount of \$5,000 to be provided by the General Fund Support of Grants for an aggregate amount of \$10,000, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY25 Aviation Promotion Grant Categorical Aid - State	61991000-45712	\$ 5,000
Local Share Transfer from General Fund	61991000-6101	<u>\$ 5,000</u>
	TOTAL	<u>\$ 10,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY25 Aviation Promotion Grant	61991999-50	<u>\$ 10,000</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the 2025 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

Approved:

Mayor

Attest:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter City of Danville, Virginia



CL - 1609

CONSENT AGENDA C.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Consideration of Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funds for the Housing Study Action Plan.

From: Henrietta Weaver, Budget Director

COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2025 Budget Appropriation Ordinance to Provide Funding from Unassigned General Fund Balance for the Housing Study Action Plan in the Amount of \$2,000,000 and Appropriating Same.

Final Adoption

SUMMARY

Like many cities, Danville has a shortage of housing options for all income levels. A recent study determined that the housing shortage in Danville is most severe at the middle income to upper middle income level. The shortage of housing at that level prevents people and families from moving into housing that better meets their needs as their family and household income improves over their lifetime. This has resulted in creating more demand for housing that is typically available (but not in Danville) for people starting careers and families, which increases costs for housing typically purchased by people and families just starting out their careers in the workforce.

Staff intends to partner with outside agencies and the private sector to encourage additional housing for segments of the housing market that do not exist at sufficient levels. Staff will target these funds to projects that improve housing options with a goal to create safe, affordable, and energy efficient housing for all income levels. Like Danville's investment in the River District, which has resulted in significant private investment, the goal is for Danville to partner with developers and others to "prove" the market and encourage additional private investment, which will help to lower housing costs compared to what would occur if no action is taken.

BACKGROUND

The City of Danville commissioned a study to determine what it can do to encourage additional housing within the City limits. Incentive programs adopted as a response to this study have successfully led to additional multifamily housing, but not resulted in significant new single family housing developments. These funds will be used to encourage developers to invest in new single family housing projects that increase supply and offer additional affordable options for individuals and families at all income levels. Improving housing options will make Danville a more attractive option for higher-wage job employers looking to locate new facilities in our region. These new businesses will provide more opportunity for people living in Danville, raising their quality of life, and improving their economic outcomes.

RECOMMENDATION

It is recommended that the City Council approve the budget ordinance approving \$2 million in additional funding to pay for projects recommended in the housing study.

Attachments

1. Ordinance
-

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2024 - ____.

AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FUNDING FROM UNASSIGNED GENERAL FUND BALANCE FOR THE HOUSING STUDY ACTION PLAN IN THE AMOUNT OF \$2,000,000 AND APPROPRIATING SAME.

WHEREAS, the City of Danville has determined that there is a gap in the housing market in the community; and

WHEREAS, there are opportunities for the City to invest in housing opportunities that will increase the availability and variety of housing with a goal to encourage the establishment of safe, affordable, and energy-efficient housing for all income levels;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2025 Budget Appropriation Ordinance be, and it is hereby, amended by a transfer from unassigned fund balance to fund the Housing Study Action Plan and appropriating the same:

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
General Fund Unassigned Fund Balance		<u>\$ 2,000,000</u>

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
General Fund Transfer to Economic Development	0199501-6098	<u>\$ 2,000,000</u>

AND BE IT FURTHER ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2025 Budget Appropriation Ordinance be, and it is hereby,

amended to provide an appropriation for the Housing Study Action Plan in the Economic Development Fund in the amount of \$2,000,000 and appropriating the same:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Housing Study Action Plan Transfer In From General Fund	61919000-6101	<u>\$ 2,000,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Housing Study Action Plan	61919999-50	<u>\$ 2,000,000</u>

AND BE IT FURTHER ORDAINED that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated;

AND BE IT FINALLY ORDAINED, that all other accounts and provisions of the Fiscal Year 2025 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter
City of Danville, Virginia



CL - 1637

APPOINTMENTS A.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Appointments to Boards and Commissions.

From: Susan DeMasi, City Clerk

COUNCIL ACTION

1. A Resolution Reappointing Vanessa Cain to the Danville Redevelopment and Housing Authority.
2. A Resolution Reappointing Faye Brown to the Danville Redevelopment and Housing Authority.
3. A Resolution Reappointing Andrew Hessler to the River District Design Commission.
4. A Resolution Reappointing Courtney Nicholas to the River District Design Commission.

Attachments

1. Resolutions
-

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2024 – ____.

**A RESOLUTION REAPPOINTING VANESSA CAIN AS A MEMBER OF THE
DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Vanessa Cain be, and she is hereby reappointed as a member of the Danville Redevelopment and Housing Authority for a term commencing November 1, 2024 and ending October 31, 2028.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2024 – ____.

**A RESOLUTION REAPPOINTING FAYE BROWN AS A MEMBER OF THE
DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Faye Brown be, and she is hereby reappointed as a member of the Danville Redevelopment and Housing Authority for a term commencing November 1, 2024 and ending October 31, 2028.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2024 – ____.

**A RESOLUTION REAPPOINTING ANDREW HESSLER AS A MEMBER OF
THE RIVER DISTRICT DESIGN COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Andrew Hessler be, and he is hereby reappointed as a member of the River District Design Commission for a term commencing November 1, 2024 and ending October 31, 2028.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2024 – ____.

**A RESOLUTION REAPPOINTING COURTNEY NICHOLAS AS A MEMBER
OF THE RIVER DISTRICT DESIGN COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Courtney Nicholas be, and she is hereby reappointed as a member of the River District Design Commission for a term commencing November 1, 2024 and ending October 31, 2028.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter
City of Danville, Virginia



CL - 1504

NEW BUSINESS A.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Review of General Fund Financials as of September 30, 2024.

From: Michael Adkins, Chief Financial Officer

COUNCIL ACTION

Review of General Fund Financials as of September 30, 2024. Financial Statements are included.

Attachments

1. Financial Statements
-



CITY OF DANVILLE

Department of Finance

To: Ken F. Larking, City Manager

From: Michael L. Adkins, Chief Financial Officer

Date: October 7, 2024

Subject: Summary of Preliminary General Fund Financial Results for September 30, 2024

After completing the first three months of the new fiscal year, revenues are tracking well with budget and ahead of the previous year. As of September 30, General Fund revenues were \$27,953,157. This represents 17% of our FY 2025 budget. Last year at this time, we had collected \$23,631,185 or 18% of budget. The increase over the prior year is primarily from growth in local taxes, as well as an increase in state categorical aid due to timing differences.

We continue to see steady performance in the collection of delinquent real estate taxes with \$395,309 realized in the first three months of this fiscal year. This accounts for 35% of the current year budget. Tax bills for FY 2025 will be mailed in November and we will begin realizing collection of current real estate and personal property taxes at that time. Local taxes collected through September 30, were \$9,764,042, or 20% of budget. This exceeds FY 2025 collections by \$649,000. More than half, or \$435,000, of this increase is related to sales tax payments. The remaining increase is found in other sources of local taxes.

Regarding local taxes, sales tax collections through September amounted to \$3,561,751, or 27% of budget. Meals taxes collected for the first three months of the fiscal year amounted to \$3,209,078 or 27% of budget, an increase of \$159,800 from last year. Business Licenses realized at the end of September were \$616,787, an increase of \$88,000 from the prior year. Lodging taxes received as of September 30, were \$942,810 or 27% of budget, an increase of \$88,000 from the prior year. All other revenue categories are tracking well with budget at this point.

Expenditures through September 30 were \$51,248,576 or 30.9% of budget. This is an overall increase of \$3.8 million when compared to September 30, 2023. Departmental spending for the first three months of the fiscal year amounted to \$22.7 million or 23% of budget, an increase of \$1.2 million over the prior year. The increase in departmental spending is primarily attributed to an increase in salaries and benefits over the prior year along with the debt service for the police headquarters offset by a decrease in Community Development due to timing differences for contributions to other entities (i.e. IDA, Business Development Agencies). The remaining overall increase is attributable to increased transfers to Danville Public Schools from FY 2024

DANVILLE, VA

commitments that were encumbered at June 30, 2024 along with an increase in Non-Departmental expenditures due to an increase in health insurance expenses.

Fund expenditures exceeded revenues by \$23,295,419. This is typical for the start of the fiscal year in the General Fund because the timing of the revenue recognition is not matched to expenditures. At this point, the General Fund is performing well compared to the current budget.

CITY OF DANVILLE, VIRGINIA
GENERAL FUND REPORT
25% OF YEAR LAPSED AS OF SEPTEMBER 30, 2024
****PRE-CLOSING FIGURES - SUBJECT TO CHANGE - UNAUDITED****

	Budgets & Appropriations For Current Year	Actual Revenues & Expenditures For Year-to-Date	Percent Realized/Expended This Year	Encumbrances	Balance to be Realized/Expended	Actual Revenues & Expenditures At This Date Last Year
REVENUES:						
Property Taxes	\$ 43,200,280	\$ 4,559,445	10.55%		\$ 38,640,835	\$ 2,302,653
Other Local Taxes	48,927,800	9,764,042	19.96%		39,163,758	9,114,975
License Permits & Privilege Fees	571,060	162,153	28.40%		408,907	226,189
Fines & Forfeitures	213,000	57,214	26.86%		155,786	55,888
Revenue From Use Money & Property	3,255,050	1,083,167	33.28%		2,171,883	903,283
Charges For Services	3,478,715	973,104	27.97%		2,505,611	852,131
Miscellaneous Revenue	25,100	93,130	371.04%		(68,030)	89,984
Recovered Cost	9,932,330	1,834,240	18.47%		8,098,090	1,546,209
Non-Categorical Aid	21,884,000	1,450,716	6.63%		20,433,284	965,505
Shared Expenses (Categ. Aid State)	6,795,830	2,042,016	30.05%		4,753,814	1,362,983
Categorical Aid (State)	9,845,375	2,036,930	20.69%		7,808,445	2,314,386
Emergency Services (Federal)	27,000	-	0.00%		27,000	-
Categorical Aid (Federal)	-	-	0.00%		-	-
Transfers From Utilities	15,588,000	3,897,000	25.00%		11,691,000	3,897,000
TOTAL REVENUES	\$ 163,743,540	\$ 27,953,157	17.07%		\$ 135,790,383	\$ 23,631,185
EXPENDITURES:						
General Government Administration	\$ 16,886,688	\$ 4,558,070	26.99%	\$ 1,171,348	\$ 11,157,269	\$ 4,597,652
Judicial Administration	9,934,565	2,259,298	22.74%	170,981	7,504,286	2,142,698
Public Safety	44,338,642	10,269,654	23.16%	432,643	33,636,345	8,993,995
Public Works	6,099,775	1,284,255	21.05%	215,924	4,599,596	1,116,731
Health, Education, Welfare & Soc. Svc.	9,974,331	1,933,069	19.38%	65,502	7,975,759	1,923,430
Parks, Recreation & Cultural	7,527,413	1,628,272	21.63%	72,924	5,826,217	1,386,775
Community Development	4,689,208	773,772	16.50%	379,598	3,535,838	1,322,976
Non-Departmental	16,199,114	5,864,218	36.20%	-	10,334,896	5,039,778
Transfer to Schools - Operating	29,727,720	22,242,551	74.82%	-	7,485,169	20,276,355
Transfer to Capital Projects	16,603,653	30,000	0.18%	-	16,573,653	-
Transfer to Other Funds	3,762,180	405,417	10.78%	-	3,356,763	657,513
TOTAL EXPENDITURES	\$ 165,743,288	\$ 51,248,576	30.92%	\$ 2,508,920	\$ 111,985,792	\$ 47,457,904
Revenue over(under) Expenditures	-	\$ (23,295,419)				\$ (23,826,719)
FUND BALANCE:						
Beginning Fund Balance 07/01/2024		\$ 66,032,212				\$ 55,064,111
Revenue over(under) Expenditures		(23,295,419)				(23,826,719)
Ending Fund Balance 09/30/2024		\$ 42,736,792				\$ 31,237,392
Composition of Fund Balance:						
Reserved for Encumbrances/Designated Funds		\$ 10,320,480				\$ 5,840,132
Unassigned		32,416,312				25,397,260
TOTAL FUND BALANCE 09/30/2024		\$ 42,736,792				\$ 31,237,392

**CITY OF DANVILLE, VIRGINIA
GENERAL FUND
COMPOSITION OF FUND BALANCE
PRELIMINARY - AS OF SEPTEMBER 30, 2024**

Beginning Total Fund Balance, July 1, 2024	66,032,211.58
Add: General Fund Revenues	27,953,156.64
Deduct: General Fund Expenditures	<u>(51,248,576.03)</u>
Ending Total Fund Balance, June 30, 2025	<u><u>42,736,792.19</u></u>

Composition of Fund Balance:

Restricted for Commonwealth Attorney	96,598.57
Restricted for Police Department	25,157.66
Restricted for Fire Department	148,794.02
Committed for Sheriff's Department	5,927.20
Committed to Schools	-
Committed to Budget Stabilization	3,000,000.00
Assigned to Sheriff's Department	12,826.43
Assigned to Community Development	117,616.31
Assigned for Encumbrances	2,508,919.84
Assigned Casino Revenue	4,000,000.00
Nonspendable (Inventory and Prepaids)	404,639.95
UNASSIGNED	<u>32,416,312.21</u>
Total Fund Balance, June 30, 2025	<u><u>42,736,792.19</u></u>

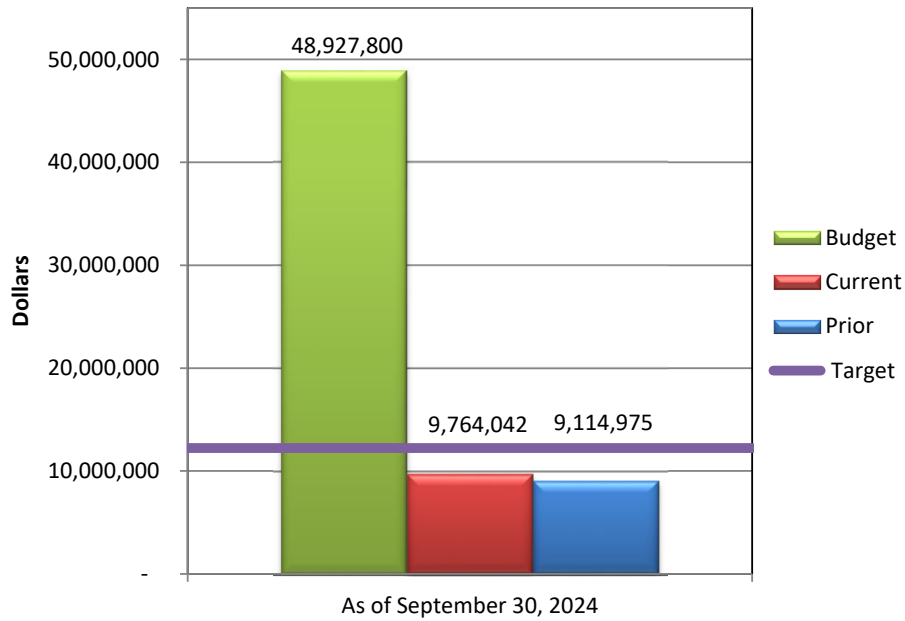
-

Unassigned fund balance from above	32,416,312.21
Unassigned Minimum per policy (25% of General Fund Operating Revenues) based on FY 2025 budget	<u>40,935,885.00</u>
Current surplus (deficit) over (under) minimum	<u>(8,519,572.79)</u>

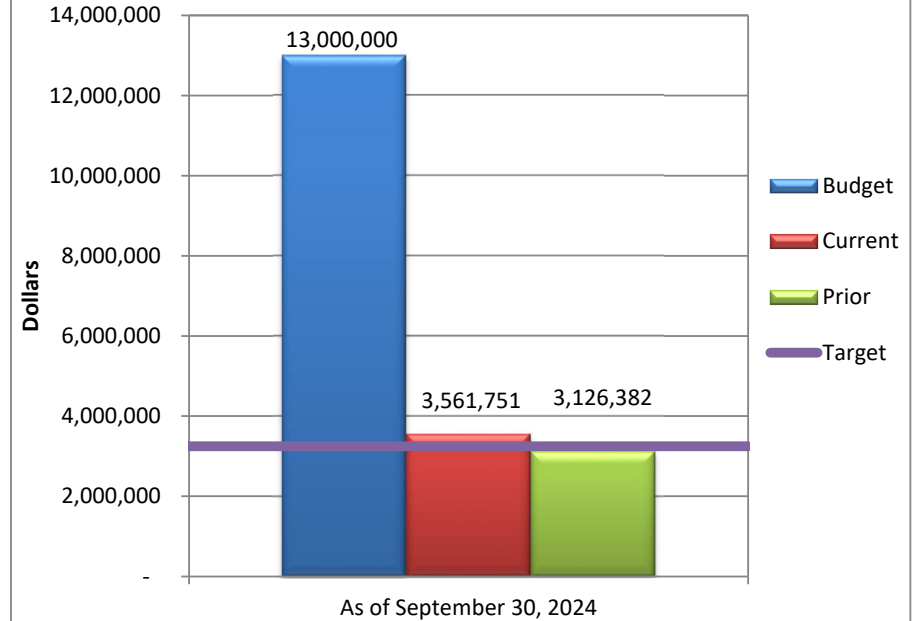
City of Danville, Virginia
Summary of Other Local Tax Revenues - PRE-CLOSING - UNAUDITED
For the period ending September 30, 2024

Description	Current Budget	Revenue Realized	Percentage Realized	Prior Year Budget	Prior Year Realized	Percentage Prior Year
Sales Tax	\$ 13,000,000	\$ 3,561,751	27.40%	\$ 11,400,000	\$ 3,126,382	27.42%
Business Licenses	7,642,000	616,787	8.07%	6,800,000	528,498	7.77%
Meals Tax	12,100,000	3,209,078	26.52%	10,867,220	3,049,278	28.06%
Utility Taxes	930,000	150,687	16.20%	930,000	197,726	21.26%
Vehicle License Fees	1,025,000	135,336	13.20%	1,000,000	138,797	13.88%
Bank Stock Tax	1,100,000	-	0.00%	1,000,000	-	0.00%
Recordation Tax	370,000	67,309	18.19%	270,000	88,331	32.72%
Hotel Motel Tax	3,525,000	942,810	26.75%	2,467,230	854,473	34.63%
Daily Property Rental Tax	20,800	6,240	30.00%	15,980	5,389	33.72%
Motor Vehicle Tax	240,000	56,812	23.67%	200,000	62,334	31.17%
DMV Fees	275,000	35,148	12.78%	280,000	37,742	13.48%
Ceasars Min Fee	8,700,000	982,084	11.29%	5,000,000	1,026,026	0.00%
TOTAL	\$ 48,927,800	\$ 9,764,042	19.96%	\$ 40,230,430	\$ 9,114,975	22.66%

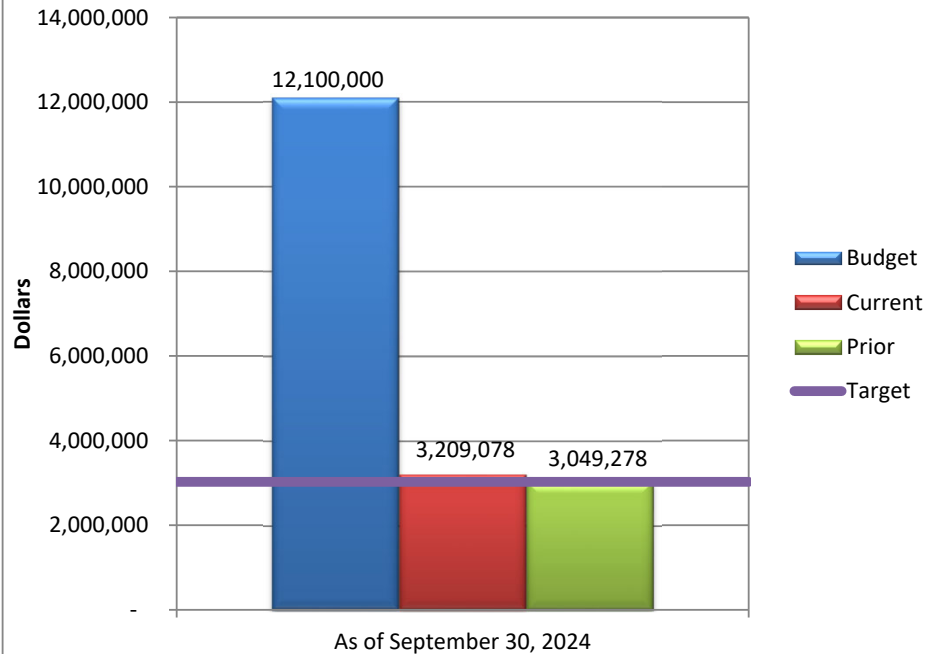
Local Taxes



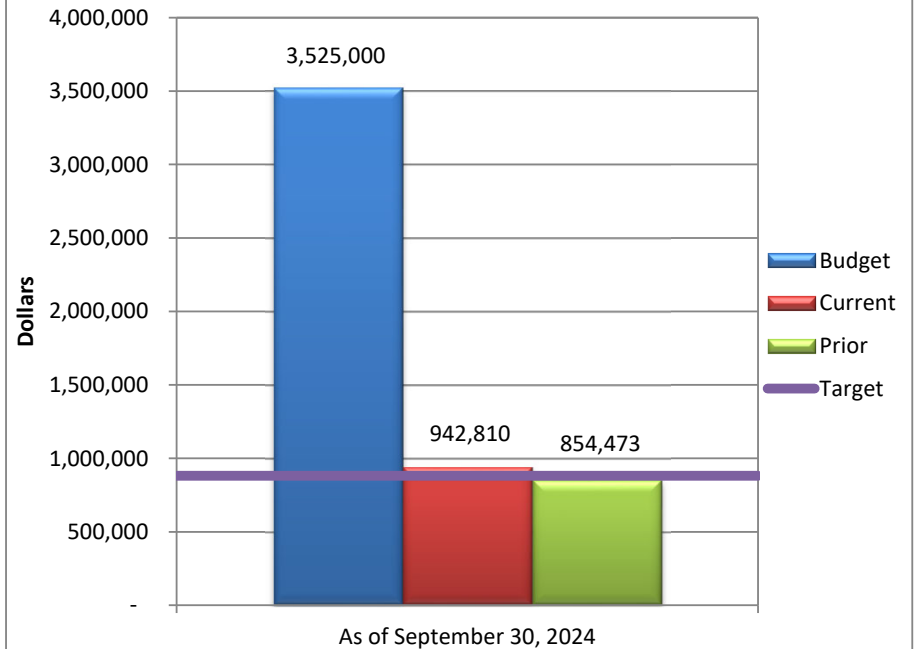
Sales Tax

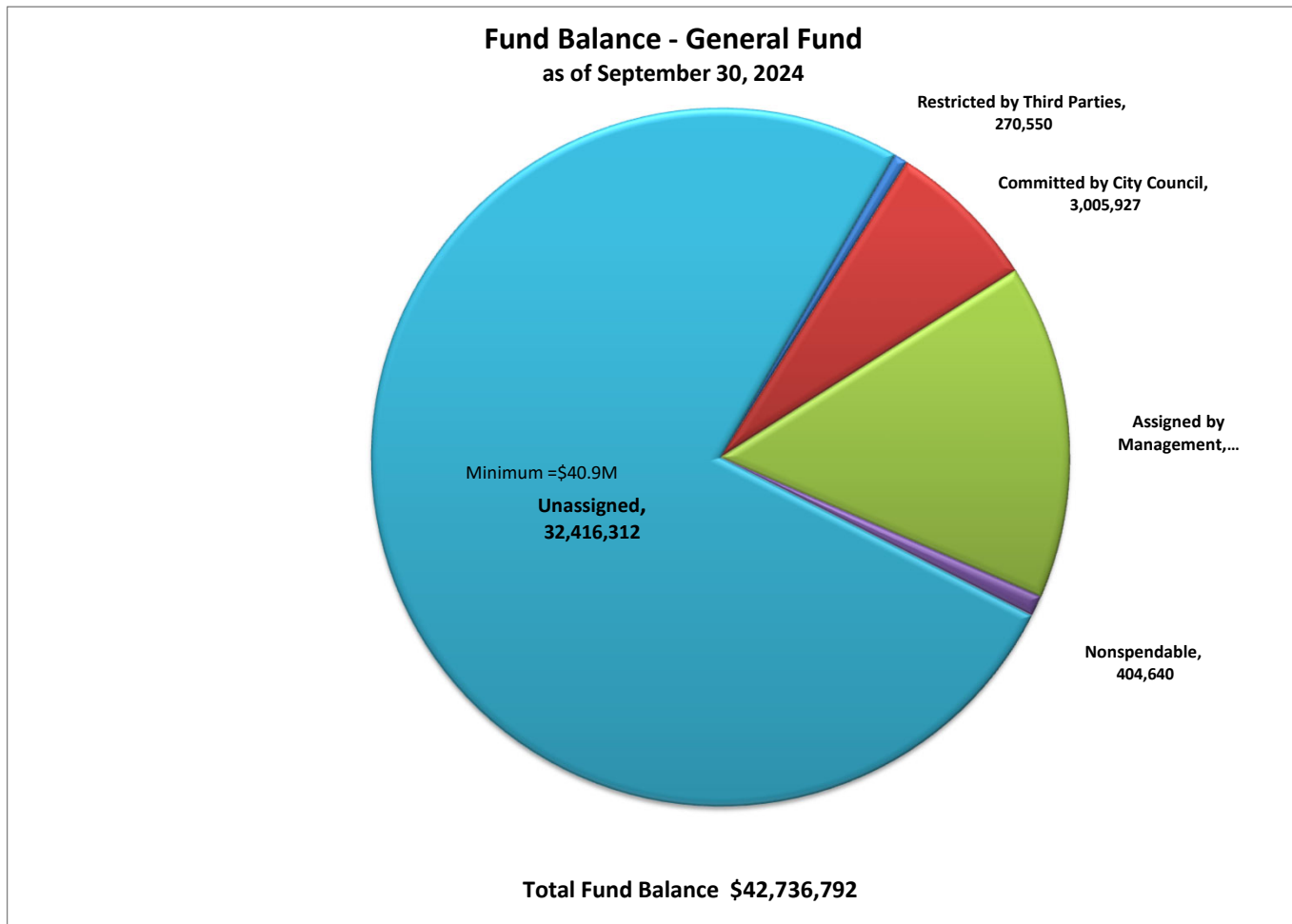
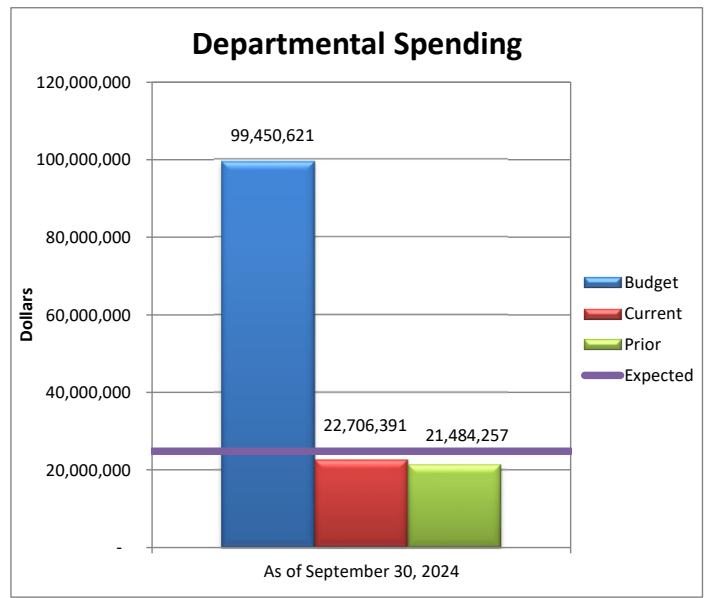
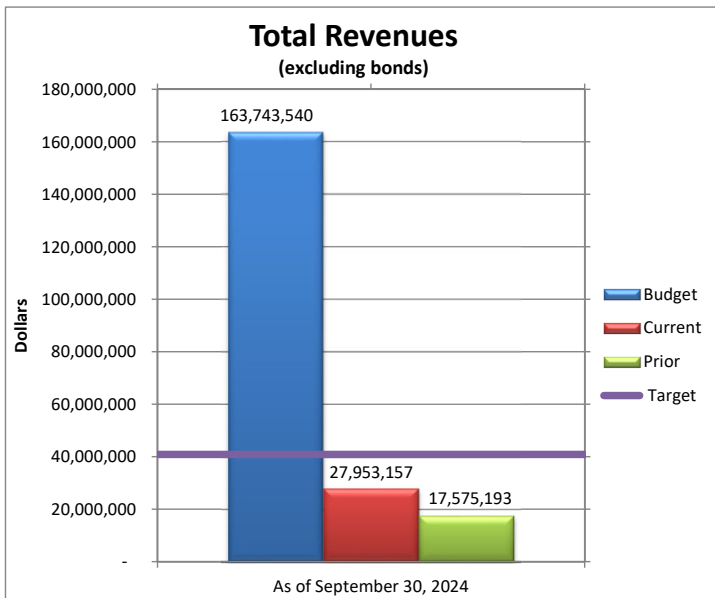


Meals Tax



Lodging Tax





Council Letter City of Danville, Virginia



CL - 1560

NEW BUSINESS B.

City Council REGULAR MEETING

Meeting Date: October 15, 2024

Subject: Electric Easement Vacations at the Southern Virginia Megasite at Berry Hill.

From: Jason Grey, Director of Utilities

COUNCIL ACTION

1. Public Hearing
2. A Resolution Authorizing the Abandonment of Three City Easements Across Property Located in Pittsylvania County.

SUMMARY

The electric service territory within the Southern Virginia Megasite at Berry Hill was transferred to Appalachian Power in 2015. The City of Danville still has three overhead electric easements that need to be vacated. One easement served a house that is now part of the industrial park. The other two easements are part of a single-phase primary overhead electric line servicing approximately five customers south of Berry Hill Road. The line is going to be relocated, so the easement within the industrial park can be vacated.

BACKGROUND

City staff is working on releasing unused easements in order to assist the development of Southern Virginia Megasite at Berry Hill. The three easements requesting to be vacated have either been relocated or removed. City staff requests that City Council authorize the vacation of the unused electric easements in Southern Virginia Megasite at Berry Hill.

RECOMMENDATION

Staff recommends City Council adopt a Resolution authorizing and approving the vacation of three unused electric easements in the Southern Virginia Megasite at Berry Hill.

Attachments

1. Resolution
 2. Deed of Vacation
 3. Berryhill Easement Vacation Map
-

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2024____.____

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

WHEREAS, the City of Danville holds three (3) unneeded thirty-foot (30 ft.) utility easements affecting one (1) parcel of real property located in Pittsylvania County identified as Parcel No. 1367-30-1931 (the "Property"); and

WHEREAS, the owner of the Property wishes for the City to vacate and abandon its easements upon the Property to facilitate future development opportunities.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Danville, Virginia, that pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia 1950, as amended, and in consideration of the public hearing this day held by Council, that the City hereby permanently vacates, abandons, and releases the easements across the above-referenced Pittsylvania County Parcel, said easements identified in the attached Schedule "A"; and

BE IT FURTHER RESOLVED that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute on behalf of the City any and all documents as may be necessary to effect such abandonment of the easements.

Approved:

Mayor

Attest:

City Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Schedule "A"

Easement No. 1

A permanent 30 foot easement to erect, operate, and maintain electric lines, including necessary poles, anchors, and fixtures, as well as to trim or cut any tree so as to keep the line and wires clear, upon and over the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated July 21, 1949, in Deed Book 306, at Pages 164 and 165.

Easement No. 2

A permanent 30 foot easement to erect, operate, and maintain electric lines, including necessary poles, anchors, and fixtures, as well as to trim or cut any tree so as to keep the line and wires clear, upon and over the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated April 29, 1954, in Deed Book 356, at Page 515.

Easement No. 3

A permanent 30 foot easement for the installation and maintenance of electric lines and facilities along the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated December 7, 1959 in Deed Book 396, at Page 26.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above-referenced recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

Prepared by and return to:
C. Ryan Dodson, Esq. (VSB #90680)
City of Danville
P.O. Box 3300
Danville, VA 24543

*This deed is exempt from
Grantor's and Grantee's tax
pursuant to Va. Code § 58.1-
810(1).*

*Tax Map/Parcel ID # 1367-30-1931
Mail to: RIFA, P.O. Box 3300, Danville, VA 24543
Consideration: None
Title Insurance: None*

THIS **DEED OF VACATION** made this the ____ day of _____,
202__, by and between the **CITY OF DANVILLE, VIRGINIA a municipal corporation
of the Commonwealth of Virginia, GRANTOR, and DANVILLE-PITTSYLVANIA
REGIONAL INDUSTRIAL FACILITY AUTHORITY, a political subdivision of the
Commonwealth of Virginia, GRANTEE,**

W I T N E S S E T H:

WHEREAS, Grantor holds three (3) certain easements across a parcel of real
property located in Pittsylvania County, Virginia, identified as Parcel No. 1367-30-1931
(the "Property"), identified in the attached Schedule "A" (the "Easements"); and

WHEREAS, Grantor no longer has any intended need for the Easements and desires
to vacate the Easements in order to assist in the productive development of the Property;
and

WHEREAS, Grantee is the owner of the Property and is desiring that the City
vacate the Easements in order to facilitate the development of the Property;

NOW THEREFORE, in consideration of the mutual promises contained herein and
other good and valuable consideration, the receipt and sufficiency of which is hereby

acknowledged, the Grantor does hereby vacate, release, and quitclaim unto Grantee the Easements.

Any other easements, rights of way, or restrictive covenants now of record or affecting said property remain unaltered.

This conveyance having been authorized by the City Council of the City of Danville, Virginia by Ordinance No. _____, adopted on _____, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

(Remainder of page intentionally left blank)

WITNESS the following signatures and seals:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY: _____
KENNETH F. LARKING
City Manager

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Kenneth F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY: _____
NOTARY PUBLIC

My commission expires: _____

Notary registration number: _____

APPROVED AS TO FORM:

BY: _____
C. RYAN DODSON
Assistant City Attorney
VSb #90680

Schedule "A"

Easement No. 1

A permanent 30 foot easement to erect, operate, and maintain electric lines, including necessary poles, anchors, and fixtures, as well as to trim or cut any tree so as to keep the line and wires clear, upon and over the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated July 21, 1949, in Deed Book 306, at Pages 164 and 165.

Easement No. 2

A permanent 30 foot easement to erect, operate, and maintain electric lines, including necessary poles, anchors, and fixtures, as well as to trim or cut any tree so as to keep the line and wires clear, upon and over the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated April 29, 1954, in Deed Book 356, at Page 515.

Easement No. 3

A permanent 30 foot easement for the installation and maintenance of electric lines and facilities along the property located in Pittsylvania County, Virginia presently designated as Parcel ID #1367-30-1931, and presently owned by the Danville-Pittsylvania Regional Industrial Facility Authority, said easement recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia by deed dated December 7, 1959 in Deed Book 396, at Page 26.

Any other easements, rights of way, or restrictive covenants now of record, or affecting said property, or arising from the above-referenced recorded documents to the extent that such easement has not been expressly released herein remain unaltered.

