

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:

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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.

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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.

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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:

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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

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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

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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:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK