

October 1, 2024

The Regular October meeting of the Danville City Council was held on October 1, 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, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9). *Mr. Whittle entered the meeting at 7:08 p.m.*

Staff Members present were: City Manager Ken F. Larking, City Attorney W. Clarke Whitfield, Jr., and City Clerk Susan M. DeMasi. Deputy City Manager Earl B. Reynolds, Jr., was absent.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Sherman M. Saunders gave the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Proclamation: Crop Walk Week
Presented to: Sherri Tuck

Ms. Tuck thanked Council for their constant support of the Danville Area Crop Hunger Walk. Ms. Tuck reviewed the statistics on hunger and food insecurity in the US, the work of God's Storehouse in Danville, and their goal of continuing to work and walk until every human being has access to food and clean water. Ms. Tuck invited everyone to join the fight against hunger and poverty. Karen Harris, Executive Director of God's Storehouse, explained they were a beneficiary of the Crop Hunger Walk, receiving 25% of what was raised, and encouraged people to volunteer.

Presentation: Trophy from God's Storehouse Bats and Badges Softball Tournament
Presented by: Shelby Irving, Division Chief of Community Risk Reduction, Danville Fire Department

Ms. Irving noted they were a part of what God's Storehouse was doing as well, who sponsored the Second Annual Softball Tournament. The tournament was between the Fire Department, Sheriff's Department, and Life Saving Crew, made up of City and County employees. Last year, the county won, this year, the City won.

MEETING MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Campbell.

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

APPOINTMENTS

Vice Mayor Miller noted the Committee on Appointments met earlier this evening and made the following recommendations, to be voted on at the next business meeting:

Reappoint Vanessa Cain and Faye Brown to the Danville Redevelopment and Housing Authority.

Reappoint Andrew Hessler and Courtney Nicholas to the River District Design Commission.

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NEW BUSINESS

CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY SEVEN DIAMONDS LLC AT 521 BRIDGE STREET TO REQUEST WAIVER OF MAXIMUM DENSITY

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 521 Bridge Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 17, 2024, and September 24, 2024.

Mayor Jones recognized Robert Pilkington, an architect with Balzer & Associates, appearing on behalf of their client, Seven Diamonds, to request a Special Use Permit for 521 Bridge Street. The current zoning has a maximum density of units and they were requesting an increase in that to twenty-one units. 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. 2024-10.01

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ24- 00421, FILED BY SEVEN DIAMONDS LLC, REQUESTING A SPECIAL USE PERMIT TO ALLOW A WAIVER OF MAXIMUM DENSITY AT PARCEL 21485 (521 BRIDGE STREET) IN ACCORDANCE WITH ARTICLE 3.L. SECTION C. ITEM 13.

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

VOTE: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (9)
NAY: None (0)

CONSIDERATION OF A SPECIAL USE PERMIT APPLICATION FILED BY TREMELL JEFFRIES TO ALLOW AN INDOOR COMMERCIAL RECREATION ESTABLISHMENT AT 750 MAIN STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 750 Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 17, 2024, and September 24, 2024.

Mayor Jones recognized Tremell Jeffries, appearing on behalf of J&J Consultants and Off the Grid Event Center to request a Special Use Permit at 750 Main Street. They were looking to have an event space as well as a dining experience, and he was there to answer any questions. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2024-10.02

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ24- 00358, FILED BY TREMELL JEFFRIES, REQUESTING A SPECIAL USE PERMIT TO ALLOW AN INDOOR COMMERCIAL RECREATION ESTABLISHMENT (COMMERCIAL KITCHEN) AT PARCEL 26402 (750 MAIN STREET) IN ACCORDANCE WITH ARTICLE 3.K. SECTION C ITEM 5.

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The Motion was **seconded** by Vice Mayor Miller and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (9)
NAY: None (0)

CONSIDERATION OF AUTHORIZING AND APPROVING A LEASE AGREEMENT WITH THE DANVILLE MUSEUM OF FINE ARTS AND HISTORY

Mayor Jones opened the floor for a Public Hearing regarding a Lease with the Danville Museum. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 24, 2024.

Mayor Jones recognized Sonja Ingram, Director of the Danville Museum of Fine Arts and History who noted she was speaking on behalf of the Board and staff, to thank City Council and City Administration for allowing the Museum to be in the Sutherlin Mansion for the last fifty years. This was their fiftieth anniversary, and they were looking forward to another fifty years. No one further desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2024-10.01

A RESOLUTION APPROVING AND AUTHORIZING THE LEASE AGREEMENT PROVIDING FOR THE LEASE, USE, AND OCCUPANCY OF THE SUTHERLIN MANSION BY THE DANVILLE MUSEUM OF FINE ARTS AND HISTORY FOR A TERM OF FIFTEEN (15) YEARS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME ON BEHALF OF THE CITY.

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

VOTE: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (9)
NAY: None (0)

CONSIDERATION OF PROPOSED CITY OF DANVILLE CHARTER AMENDMENTS

Mayor Jones opened the floor for a Public Hearing regarding Proposed Charter Amendments. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 17, 2024, and September 24, 2024. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2024-10.02

A RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY AMEND THE CHARTER OF THE CITY OF DANVILLE, VIRGINIA.

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

Council Member Campbell noted this was important, was glad to see that the City was updating this and wanted to commend the City Manager and Council for doing this. Council Member Whittle noted this talked about a simple majority, and Assistant City Attorney Ryan Dodson explained around 1995 the Virginia Legislature updated the rules that govern City Councils and County Boards of Supervisors. They state that if there was a majority of all people who were present and voting, that was typically enough to pass most types of ordinances. The Virginia Constitution requires that it be a majority of the entire Council, a majority of the nine, which would be five voters. Mr. Dodson stated the City was constitutionally required to require five council members on anything dealing with money, debt, criminal enforcement and items like that. Virginia Code Section 15.2 was basically a set of guidelines for what localities can do and in some cases, what they must do. Staff has gone through and reviewed all of 15.2 compared against the Charter to find where the City was deviating from what the state said. Mr. Whittle questioned what was wrong with the old system, and Mr. Larking explained that sometimes it was not in compliance with state law, a lot of this was making it consistent with that.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, and Vogler (8)
NAY: Whittle (1)

CONSIDERATION OF AUTHORIZING AND APPROVING THE TRANSFER OF OWNERSHIP OF THIRTY-SEVEN SURPLUS VACANT LOTS TO THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY

Mayor Jones opened the floor for a Public Hearing regarding Transfer of Ownership of Lots. Notice of the Public Hearing was published in the *Danville Register & Bee* on September 24, 2024. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2024-10.03

A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO CONVEY SUCH PROPERTY TO THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY.

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

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

CONSIDERATION OF FINANCIAL POLICIES UPDATES

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

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RESOLUTION NO. 2024-10.04

A RESOLUTION APPROVING AND AMENDING THE CITY OF DANVILLE FINANCIAL POLICIES TO CHANGE ITEM 4.1 ENTITLED "UNASSIGNED & UNRESTRICTED FUND BALANCES"; TO ALLOW FOR AN INCREASE OF MINIMUM GENERAL FUND BALANCE FROM 20% TO 25% OF ANNUAL BUDGETED REVENUES; AS WELL AS OTHER REVISIONS FOR CLARITY AND ALIGNMENT WITH ANTICIPATED CITY CHARTER CHANGES.

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

Council Member Vogler asked the City Manager to give citizens a brief synopsis of this item. City Manager Ken Larking noted having a higher minimum threshold for the general fund balance reflects very well when the credit rating agencies look at the City's financial policies and practices. Chief Financial Officer Michael Adkins explained the City was very well rated at AA. If the City was looking forward to a better credit rating and lower borrowing costs, they need to do things to put the City in a position to be competitive with the localities that were higher rated than Danville. Those localities typically have a 25% sometimes 30% fund balance policy. The timing of this was good, the City had a good Fiscal Year 2024, the reserves were built up and the City has the capacity to move from 20% to 25%. Mr. Vogler noted they hear citizens say the City was receiving more money and asked Council to save some, this was something to let the citizens know they were being smart with the revenue coming in. Council Member Campbell noted his agreement, that it was wise to save funds for the future, and thanked the City Manager and staff for what they were doing. Vice Mayor Miller noted it was important that the City have savings; no one can predict the future and cannot know what will happen five years from now.

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

VOTE: 9-0
AYE: Buckner, Campbell, Hood, Jones, Mayo, Miller,
Saunders, Vogler, and Whittle (9)
NAY: None (0)

CONSIDERATION OF AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION ORDINANCE FOR AN AVIATION PROMOTION GRANT

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

ORDINANCE NO. 2024-10.03

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.

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

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**CONSIDERATION OF AMENDING THE FISCAL YEAR 2025 BUDGET APPROPRIATION
ORDINANCE TO PROVIDE FUNDS FOR THE HOUSING STUDY ACTION PLAN**

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

ORDINANCE NO. 2024-10.04

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.

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

COMMUNICATIONS FROM VISITORS

Mayor Jones called for Amber Brooks, who did not appear.

COMMUNICATIONS

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

City Attorney Clarke Whitfield noted his condolences to the Covington family.

Mayor Jones recognized Dr. Angela Hairston, Superintendent of Danville Public Schools, Vice Chair of the School Board Tyrell Payne and School Board Members Keisha Walker and Charles McWilliams. Mayor Jones noted five Danville schools earned full accreditation for the first time in a decade, Park Avenue, Westwood, Schoolfield, Forest Hills and Galileo. Woodberry has improved in their scores as well, and George Washington High School only missed accreditation in one subject. Mayor Jones thanked the School Board for their work; Council made education their number one priority, and everyone has worked extremely hard. Mr. Payne noted this was a great time for the City and they need to celebrate; they hit some bumps in the road, but they stayed the course and stayed in the fight together. Council Members thanked the School Board for their work and were proud of the students for their accomplishments.

Council Member Vogler noted his thoughts were with the people affected by the storms locally and in North Carolina, and asked citizens to keep those people affected in their prayers. This morning he had an opportunity to spend time with the Governor, Delegate Marshall and Senator Mulchi at the Institute; they had a great event going on focused on agriculture, with people from thirty-five different states.

Council Member Whittle noted he feels the Danville School System was moving onward and feels good about that. Mr. Whittle questioned if Danville Utility workers were helping other localities, and Mr. Larking noted they were out working in Dry Fork to restore power as quickly as possible.

Council Member Buckner noted their mentoring city was Greenville, and Greenville got hit by the storm; it was heartbreaking to see what they were going through. People were still missing from Asheville, and Black Mountain was gone. Mr. Buckner asked citizens to keep those people in their prayers, including those in Pittsylvania County.

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Council Member Campbell noted he remembered joining the Rotary years ago, and their mission was to eliminate polio around the world, and now there are hardly any cases left in the world. Rev Campbell noted hearing what was going on now, would like to see Danville become more pro-climate action.

Council Member Hood thanked the Danville Historical Society, he had the opportunity to visit them last week; they continue to provide historic research and artifacts for the region. Mr. Hood noted Ace Academy starts again tomorrow; the focus was to provide young people with an outlet for creativity. His thoughts were with the families affected by the hurricane and was glad to see the relief efforts going on around the City.

Council Member Mayo noted their prayers were with Asheville, North Carolina and the surrounding areas affected by the storm, there was a lot of devastation, and also with those people in Dry Fork. Mr. Mayo noted his condolences to the Covington family; he was a tremendous athlete. The Job and Resource Fair was coming up on November 14th at Danville Community Market, 10 a.m. to 4:00 p.m.; they currently have about seventy-four vendors and over 740 jobs.

Vice Mayor Miller reminded citizens National Night Out was next Tuesday, and this year, it does not conflict with a Council Meeting; it begins at 4:30 at Westmoreland. Dr. Miller noted they go to VML every year, last year they sat with the people from Galax and Mayor Willie Green who was on TV the other night because they had no power or water because of the storm, along with the areas in North Carolina who are cut off from civilization.

Council Member Saunders requested Council think about the timeframe of National Night Out; oftentimes it was dark before Council can make it to all the places, and maybe move the time back. Mr. Saunders thanked the City Attorney and his staff for all they do. Mr. Saunders recognized Dr. Hairston and thanked her for her work. Mr. Saunders noted they need to look at their growing population, at housing and infrastructure and hoped they continued to try and find ways to grow the City.

Mayor Jones noted his thoughts were on the people affected by the recent storms and noted he wished people didn't wait for a storm to treat their neighbors with the same kindness they treat them with when a storm comes. Mayor Jones encouraged citizens to pray for those affected. Early voting has begun and encouraged citizens to get out and vote, and thanked Council Members for what they have done for the City.

ADJOURNED: 8:31 p.m.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK