

February 5, 2019

The Regular February meeting of the Danville City Council was held on February 5, 2019, 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., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9).

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

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member L.G. "Larry" Campbell, Jr.; the Pledge of Allegiance to the Flag followed.

MINUTES

Upon **Motion** by Council Member Campbell and **second** by Council Member Whittle, Minutes of the Regular Council Meeting held on January 3, 2019 were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

PUBLIC HEARING – GRANTING A SPECIAL USE PERMIT FOR A YARD SETBACK AT 1716 LANIER AVENUE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 1716 Lanier Avenue. Notice of the Public Hearing was published in the *Danville Register & Bee* on January 22, 2019 and January 29, 2019. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2019-02.01

GRANTING A SPECIAL USE PERMIT FOR A YARD SETBACK WAIVER IN ACCORDANCE WITH ARTICLE 3.Q, SECTION B, ITEM 23 AND ARTICLE 3.O, SECTION C, ITEM 25 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 1716 LANIER AVENUE, OTHERWISE KNOWN AS GRID 0612, BLOCK 004, PARCEL 00001 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (8)
NAY: None
ABSTAIN: Shanks (1)

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STATEMENT OF CONFLICT OF INTEREST

I, Fred O. Shanks, III, do hereby state that I have a conflict of interest regarding the consideration of an Ordinance Granting a Special Use Permit for Yard Setback Waiver at 1716 Lanier Avenue, listed on the agenda as New Business item (A). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code §2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 5th day of February, 2019.

s/Fred O. Shanks, III

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT

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

RESOLUTION NO. 2019-02.01

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT.

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

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

BUDGET APPROPRIATION – AMENDING THE FY2019 BAO TO PROVIDE FOR A STATE DEPARTMENT OF AVIATION GRANT IN THE AMOUNT OF \$7,500 AND FOR THE LOCAL SHARE OF \$7,500 FOR A TOTAL APPROPRIATION OF \$15,000

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

ORDINANCE NO. 2019-02.02

AMENDING THE FISCAL YEAR 2019 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 \$7,500 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$7,500 TO BE PROVIDED BY THE GENERAL FUND SUPPORT OF GRANTS FOR A TOTAL APPROPRIATION OF \$15,000 AND APPROPRIATING SAME

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

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COMMUNICATIONS

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

ROLL CALL

Council Member Miller noted last Wednesday he was at the State Legislature, at a Senate Finance hearing on a coal ash bill to try to clean up the coal ash in Virginia. He was pleased that it passed, but it has little effect on Danville. Five years ago on February 2nd, the City started receiving reports of a spill in the Dan River from a power plant upstream. In total, 39,000 tons of coal ash went through the Dan River. Of that amount, about 10-15% was dredged, the rest is still there; no one knows the long term effects of the chemicals. The City has to remain vigilant and make sure it doesn't happen again. A few weeks ago, he got to work with a student nurse from DCC, it was the Mayor's daughter; Dr. Miller noted his sympathies are with the family of State Trooper Dowell.

Council Member Shanks noted with respect to Dr. Miller's statement, the City does need to remain vigilant to make sure the coal ash spill never happens again. Nature has a marvelous way of self cleaning, and would say the City can thank the many heavy rain falls that help clean the river. Mr. Shanks noted he feels comfortable drinking water out of the City's system, the testing shows up clear, and there is no reason to be concerned about local water.

Council Member Tomer noted his thoughts were with the family of Trooper Dowell, and stated his appreciation of law enforcement in Danville, throughout the state and the nation, keeping citizens safe and putting their lives on the line. Mr. Tomer noted he would like Council to have a conversation about the City's policy on vacation time for City employees compared to other areas, and holidays to have them nearer the Constitutional Officers and the State, and also look at paid maternity leave. Mr. Tomer asked the City Manager to put together a presentation for Council.

Vice Mayor Vogler noted his agreement with Council Member Tomer, paid maternity leave is becoming more common in the private sector. Mr. Vogler noted they want to make Danville a greater place for young families, and anything they can do to help make that happen is worthy of a discussion. He would like to see what other localities are doing in that regard. Mr. Vogler thanked all the City employees for the work they do, but particularly Public Safety employees who do a tremendous job, and thanked the City Manager, the Mayor and all of City Council, they are a tremendous team and Danville is a wonderful City.

Council Member Whittle noted with respect to the Casino bill, he believes Danville should have a lobbyist in place that has the City's best interests in mind. Mr. Whittle noted the sediment pond at Nordan was cleared today, it looked good, and all the fences were locked and safe.

Council Member Buckner asked for an update on the trail, it was still covered with sand, the bridge is out, and questioned when residents can expect to see the trail back open and the sand removed. City Manager Larking noted it has been challenging since there were several floods last year; each time the trail was cleared, another flood happened. Contract crews have been removing the sand, but the bridge will take some time to replace as it needs to be engineered. When the water came through the creek, it actually changed the size of the opening, and the bridge has to be longer and bigger. The old bridge was narrow compared to

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the rest of the trail, and maintenance crews could not use it. The bridge will probably be replaced by the end of summer, beginning of fall, but the rest of the trail should be cleared by spring.

Council Member Campbell noted his prayers went to Ms. Hickson on the loss of her daughter, and to the Coleman family on the loss of Jeffrey Coleman.

Mayor Jones noted each one of the Council Members is unique in their own way, and each brings so much to the table for the City. He receives a lot of calls in reference to Council Members and what they do; they go above and beyond to help their City and bring new ideas. Mayor Jones thanked Council for all they are doing for the City and continuing to move the City forward. Mayor Jones noted to the police officers, sometimes they do not get the credit they truly deserve and wanted to sincerely say thank you to all of them. Mayor Jones noted their hearts go out to the family of Trooper Dowell.

The meeting adjourned at 7:20 p.m.

APPROVED:

s/ Alonzo L. Jones
MAYOR

ATTEST:

s/ Susan M. DeMasi, CMC
CITY CLERK