

March 19, 2019

The Second Regular March meeting of the Danville City Council was held on March 19, 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, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (8). Sherman M. Saunders was absent (1).

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 Fred O. Shanks, III, followed by the Pledge of Allegiance to the Flag.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones recognized Cameron Stephens, twelve year old student at Gibson Elementary, along with his parents, and Mr. Jay Jones, Principal of Gibson Elementary and Ms. Logan, teacher at Gibson Elementary. Mayor Jones read a Letter of Recognition to Cameron Stephens congratulating him on being chosen to participate in an elite soccer training camp in England. Cameron Stephens thanked everyone for the recognition.

Mayor Jones recognized Coach Jermaine Parker, and members of the GWHS Eagles Boys Basketball Team, and read a Certificate of Recognition for the Eagles winning the State Championship. Mayor Jones also noted Coach Parker has been named Coach of the Year.

Mayor Jones recognized Trina McLaughlin, Coach, and members of the Varsity Basketball Cheerleaders, and read a Certificate of Recognition as the 2018 Varsity Stomp and Tumble National Champions and the first Varsity Squad to win a National Cheer Title at GWHS.

Mayor Jones recognized Jonathan Fain, Athletic Director of George Washington High School.

Major Jones recognized the GWHS Junior Varsity Basketball Cheerleaders, and read a Certificate of Recognition for the Junior Varsity Squad, who are now the 2019 Junior Varsity Non-Stunt and Tumble National Champions.

After Comments from Coach McLaughlin, Coach Payne and Mr. Fain, who thanked Officer Sylvia Brooks for organizing the escorts for the Team, Mayor Jones also recognized Marc Aron for his coverage of the events. Council Members and Staff noted their congratulations to the Basketball Team and Cheerleaders.

Council recessed at 7:45 p.m.

Council reconvened at 7:58 p.m.

CONSENT AGENDA

Council Member Campbell **moved** for approval of the Consent Agenda:

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Minutes of Regular Council Meeting held on February 19, 2019. Draft copies of the minutes had been distributed prior to the meeting.

Consideration of Amending the FY 2019 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management

An Ordinance entitled, Ordinance No. 2019-03.02, presented by its First Reading on March 5, 2019, Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management in an Amount of \$56,347 for Equipment Upgrades to the Danville Regional Hazardous Materials Response Team, and Appropriating Same.

Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Recreation Enrichment Program Funds

An Ordinance entitled Ordinance No. 2019-03.03, presented by its First Reading on March 5, 2019, Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for Funds in the Amount of \$55,220 for a Recreation Enrichment Program and the Local In-Kind Share of \$137,624 for a Total Appropriation of \$192,844 and Appropriation of Same.

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

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

OLD BUSINESS

PUBLIC HEARING – CONSIDERATION OF DESIGNATION OF THE DNDC AS THE CITY’S OFFICIAL LAND BANK ENTITY

Mayor Jones opened the floor for a Public Hearing. Notice of the Public Hearing was published in the *Danville Register & Bee* on March 5, 2019 and March 12, 2019.

Mayor Jones recognized Cherie Tamson, Danville, who commented on blight in the City and noted she was pleasantly surprised at changes in the Memorandum of Understanding for the Land Bank Entity. Ms. Tamson noted her concerns with the Land Bank Entity and requested that a timeline be added to the MOU for properties that have been moved into the Land Bank, questioned the savings to the City, and the areas of the City the DNDC has been working on.

Mayor Jones recognized Harold Garrison, Danville, who noted he attended the work session last week when Council discussed the Land Bank. The MOU took care of almost all his concerns, but he is still concerned about Section 5, Paragraph 1 that notes the City may convey eligible properties to the DNDC. Mr. Garrison questioned if the City is the only entity that can transfer land or can a private individual transfer land and if so, does the Land Bank have to accept it.

No one further desired to be heard and the Public Hearing was closed.

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Vice Mayor Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2019-03.04

DESIGNATING THE DANVILLE NEIGHBORHOOD DEVELOPMENT CORPORATION AS A LAND BANK ENTITY FOR THE PURPOSE OF ASSISTING THE CITY OF DANVILLE IN ADDRESSING VACANT, ABANDONED, AND TAX DELINQUENT PROPERTIES AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT, AS AMENDED, SETTING THE TERMS AND CONDITIONS OF SUCH DESIGNATION.

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

Council Member Shanks noted he had had severe reservations about the land bank ordinance; at the work session, he believes most of Council's concerns were eliminated. Ms. Tamson made some good comments and he would like to see some of those addressed by Mr. Reynolds or the City Manager. Sometimes, City Council has not had the oversight on some boards, like the IDA, and there were times when Council had concerns about issues that were going on. Creating the Transaction Board that includes three City Council Members, was one of his concerns. Mr. Shanks noted he did not see how there would be any savings; this is an opportunity for the properties to be maintained and hopefully put back out into the public sector, that was the goal. Ms. Tamson's question involving eligible properties, there is another section that allows for the Land Bank to accept other properties and grants.

Vice Mayor Vogler thanked Mr. Shanks for his comments and his efforts as well. Council has discussed this for about four years; the potential for this to be a great thing for the City is there. Without the Land Bank, the City has about 250 properties they have to maintain that are contributing nothing to the City's tax base, except the cost to maintain them. The Land Bank is designed to get properties back into the private sector, that is the goal of the Land Bank. To do nothing is costing the City money and this gives the City the option to do something; Mr. Vogler noted he also likes the changes to the MOU; it increases that accountability.

Mr. Shanks noted there were targeted neighborhoods; in the discussion in the work session the targeting of the neighborhoods was based on where there was the most blighted properties and the most concerns. He believes the neighborhoods were prioritized in a good manner and feels comfortable with the revisions that were made. Mr. Whittle noted before Council made changes to the Transaction Board, it was a bad deal for taxpayers. With a bit of oversight which the three Council Members will provide, it relieves much of his concerns. The Transaction Board will make a difference on how the properties are handled and the oversight will be better than it was before.

Mr. Larking noted this will be one of the tools in the City's tool belt. When major industries closed in Danville, people in the community left and there was an overabundance of homes that created the conditions that led to blight. Council decided the City needed to put a stop to it, invest money in a variety of means to deal with the blight and help turn the housing market around. The goal of staff is to make sure the housing market gets turned around to where people feel confident in the value of their homes, in reinvesting in their homes and know when they put money into those things, that investment will eventually reap an award.

Mr. Reynolds addressed Ms. Tamson's concerns, and Mr. Garrison's question on whether or not a property that is offered to the Land Bank, does the Land Bank have to accept it and the answer to that question is no; they are under no obligation to accept it. The target areas are

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the areas of the City where there is an overabundance of blight. In the MOU, it specifically states that the land bank program is being created to focus on eligible property, which is defined as properties that are vacant, abandoned, tax delinquent or declared unsafe or unfit for human habitation. The properties that the land bank program will try to get back in use and back on the tax rolls are properties in areas where there really isn't a market. It is going to take a great deal of creativity to assemble these properties in such a way that they become attractive for resale; that is where the land bank can be of assistance. A question was asked about the tax revenue; the Land Bank Entity Act that was passed by the General Assembly tried to envision the different options that communities would exercise in setting up a land bank program. They provided a number of different options, but the locality can pick and chose from those they felt were appropriate for their community. There are two other land banks that have been approved in Virginia since that legislation; he does not believe that either one of them, with respect to the option of retention of tax revenue, was granted that authority; neither will this one. Tax revenue that is generated from property that is sold, comes back to the City.

Mr. Shanks noted Mr. Reynolds addressed all the issues except the time issue; the City has so many properties that it really can't set a time limitation. Mr. Reynolds explained, in the land bank there are properties being held in trust by the DRHA. Once they begin to focus on the redevelopment potential of those properties, there will be a segment of them, simply because of geography, that are going to be very difficult to market to taxpayers. They may be able to redevelop them through the Neighborhood Development Corporation because the DNDC can get grants and other funds that are not available to property owners. Dr. Miller noted his concern was the lack of oversight, foundation money dries up, and the City keeps contributing and contributing; this is money they have no control over. Dr. Miller notes he thinks the Transaction Board appeased some of his concerns. The City has to turn things around, get more people coming here, more jobs and then there will be someone to buy these homes.

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

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

NEW BUSINESS

AUTHORIZING THE CITY TO ENTER INTO A PURCHASE POWER AGREEMENT WITH IRISH ROAD SOLAR LLC

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

RESOLUTION NO. 2019-03.01

AUTHORIZING AND APPROVING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO A PURCHASE POWER AGREEMENT FOR FIVE MEGAWATTS OF RENEWABLE SOLAR PEAKING GENERATION TO BE CONSTRUCTED WITHIN THE DANVILLE UTILITIES SERVICE TERRITORY.

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

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Council Member Shanks thanked Director of Utilities, Jason Grey, for what he is doing to help Danville Utilities develop sources of power within its power grid. Federal Tax rates have made it interesting for developers of solar power and have created an opportunity for the Danville Utilities' footprint to purchase power from solar farms such as Ringgold. The power the City is purchasing from solar plants like these, is only three cents per kilowatt hour and about one third the cost of the power the City is purchasing right now. Mr. Grey and Danville Utilities have been proactive; in the long term, the positive result from these will be seen.

Council Member Miller noted about twenty-eight cents on the dollar of the electric bill is the middle-man charge, the transmission charge for where it comes from. Even Appalachian Power is about twenty six cents; this is a big savings if the City can generate its own power with little or no transmission charge. In the next few years, he believes it will be a benefit and once all the solar farms are online, they may generate 21% of power that comes from renewables; that is more than the Governor wanted, which was 16% for communities. Dr. Miller noted it was a great job by Danville Utilities. Vice Mayor Vogler noted his agreement with Dr. Miller, Mr. Grey had pointed out, by the time these two projects come on-line, 21% of the City's energy will be coming from renewables. As Mr. Shanks pointed out, a goal Council stressed a few years ago when the City was having some issues, was find ways to get power generated on the City's side of the grid; that is what Mr. Grey and the Utility Commission have been working towards in the last few years. Mayor Jones recognized Director of Utilities Jason Grey and thanked him for his work.

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

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

AUTHORIZING THE CITY TO ENTER INTO A PURCHASE POWER AGREEMENT WITH WHITMELL SOLAR LLC

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

RESOLUTION NO. 2019-03.02

AUTHORIZING AND APPROVING THE CITY OF DANVILLE, VIRGINIA TO ENTER INTO A PURCHASE POWER AGREEMENT FOR FIVE MEGAWATTS OF RENEWABLE SOLAR PEAKING GENERATION TO BE CONSTRUCTED WITHIN THE DANVILLE UTILITIES SERVICE TERRITORY.

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

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

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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 Shanks noted he was pleased to see the audience at the Council meeting this evening; there were many success stories from so many different levels, from Elementary School up through Cheerleading and Boys Basketball, as well as the coaches and the parents. The 10th Annual Danville Pittsylvania Cancer Association Bridge2Bridge Run or Walk will be held on April 13th; this is a huge fundraiser that supports caring for cancer citizens in the community. Mr. Shanks would like for every member of City Council to challenge one of the members of the Board of Supervisors to participate in that walk. It would be an opportunity for Council to get out and support the Cancer association.

Vice Mayor Vogler thanked all the Council for their work tonight and what they do day in and day out; he was glad they were able to get the Land Bank through tonight. Mr. Vogler noted he also wanted to mention the Bridge2Bridge event on April 13th, *Showcase* is a sponsor this year, he looks forward to helping with that and will be participating. He hopes to see other Council members there, some Board of Supervisors and some School Board members. An initiative that he and Council Member Buckner started working on about a year ago, 100 Ways in 100 Days, ending up with over 100 ideas; that document is on line for people to look at. One idea was to allow City employees the option to take one hour from their work week to tutor or spend time with a Danville Public Schools student, and would like to discuss that further in work session with the City Manager.

Council Member Whittle noted the Land Bank Transaction Board was a good idea, it needed to be implemented and was glad to have the change made.

Council Member Buckner noted 100 Ways in 100 Days launched today with a lot of exciting suggestions. Mr. Buckner stated he was glad to see the Land Bank get started; when property values go up, everybody benefits.

Council Member Campbell noted they enjoyed all the young people in attendance tonight, it was a wonderful evening.

Council Member Miller noted he was very proud of Cameron Stephens, his ability playing soccer and going to London for a special camp. Dr. Miller commended Public Works for the new emergency road at Pinetag for when the train blocks the tracks, and is grateful for Council and Public Works for making that available. Dr. Miller noted the Mayor of Richmond has proposed a fifty cent tax on cigarettes in Richmond and to use the revenue for schools. Danville is one of the few cities that does not tax cigarettes and believes they need to do at least thirty cents and earmark it for public health.

Mayor Jones stated tonight was a very exciting night, and appreciates the students being engaged. One council member asked what more can Council do with education besides just money and Council Member Shanks alluded to it tonight, all the wonderful things they saw, from the parents to the young people, the relationship between City Council and the School board, the Superintendent, the City Manager, the PIO, and Anne Moore-Sparks is absolutely phenomenal; they have to continue to engage in the community. They touch the lives of the

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of these young people and parents tonight and those young people will go out and engage another young person. Coach Parker said, when he saw all of the police officers and Council Members and DPS staff, it encouraged and motivated those young people and hopes they can continue to do that.

The meeting adjourned at 8:45 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

DRAFT