

December 1, 2020

The Regular December meeting of the Danville City Council was held on December 1, 2020, 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).

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.

Council Members welcomed new Council Member Bryant Hood.

INVOCATION

The Invocation was given by Dr. Gary P. Miller and followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Danville Pittsylvania Community Services Board Annual Report, presented by Sheriff Mike Mondul, Secretary of the Board. Mr. Mondul gave the report for Fiscal Year 2020, noting the report's theme was "Unlocking the Potential," and explained the Board's new logo. Mr. Mondul reviewed the services provided to the community, workforce and agency operations, and introduced Jim Bebeau, Executive Director of Danville Pittsylvania Community Services; Council thanked him and his staff for their service to the community.

Update from Caesars, presented by Steven Gould. Mr. Gould gave a brief power point presentation, thanking the community for the strong support shown in the referendum. Mr. Gould reviewed what the City can expect in the next few years beginning with the \$15,000,000 payment, the closing for the Schoolfield property, Caesars selecting an architect, with citizens being able to give input into the design process. Mr. Gould also reviewed the timeline of hiring a contractor, submitting permit applications, groundbreaking and construction, hiring of employees and opening the resort. Mr. Gould noted Caesars would continue to provide updates to Council and the community. Mayor Jones thanked Mr. Gould for the presentation.

CONSENT AGENDA

Council Member Buckner **moved** for adoption of the following Consent Agenda Items:

Consideration of Approval of Minutes from Regular Council Meeting held on November 5, 2020. Draft copies of the Minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2021 Budget Appropriation Ordinance in the Amount of \$201,640 for Upgrades to the E-911 Center

An Ordinance entitled, Ordinance No. 2020-11.14, Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management in an Amount of \$179,560.25 and Local Share in the Amount of \$22,078.10 for Equipment and Service Upgrades to the Danville 9-1-1 Emergency Services Communication Center for a Total Appropriation in the Amount of \$201,640, and Appropriating Same.

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

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

NEW BUSINESS

GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT AT 1050 MAIN STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 1050 Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 17, 2020 and November 24, 2020.

Mayor Jones recognized Mr. and Mrs. Kropp, applicants for the Special Use Permit who noted they went through Architectural Review, have recommendations to move forward and stated they were present to answer any questions. 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. 2020-12.01

GRANTING SPECIAL USE PERMIT APPLICATION PLSUP20200000215 FOR A RESTAURANT IN ACCORDANCE WITH ARTICLE 3.I SECTION C.15. OF THE CODE OF THE CITY OF DANVILLE VIRGINIA, 1986, AS AMENDED, AT 1050 MAIN STREET (PARCEL ID#21618). OTHERWISE KNOWN AS GRID 1720, BLOCK 010, PARCEL ID#000009 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

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

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

GRANTING A SPECIAL USE PERMIT FOR ACCESSORY BUILDINGS

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for Accessory Buildings. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 17, 2020 and November 24, 2020. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2020-12.02

GRANTING SPECIAL USE PERMIT APPLICATION PLSUP20200000220 FOR ACCESSORY BUILDINGS (I.E., BARN, STABLE, SILO, CORN CRIB, ETC.) OR ACCESSORY USES WITHOUT A PRIMARY BUILDING BEING LOCATED ON THE PARCEL IN ACCORDANCE WITH ARTICLE 3.B SECTION C.19 OF THE CODE OF THE CITY OF DANVILLE VIRGINIA,

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1986, AS AMENDED, AT PARCEL ID#74720, OTHERWISE KNOWN AS GRID 3709, BLOCK 003, PARCEL ID#000003 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

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

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

DESIGNATING THE DANVILLE OFFICE OF ECONOMIC DEVELOPMENT AS THE DESIGNATED MARKETING ORGANIZATION

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

RESOLUTION NO. 2020-12.01

DESIGNATING THE DANVILLE OFFICE OF ECONOMIC DEVELOPMENT AS THE DESIGNATED MARKETING ORGANIZATION FOR TOURISM IN DANVILLE AND PITTSYLVANIA COUNTY, VIRGINIA

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

Council Member Vogler noted this was long overdue and Economic Development was the perfect mechanism for this; tourism was Economic Development as far as he was concerned. He does not think Danville has tapped the full potential of tourism opportunities in the City. With Caesars on the way, the opportunities for tourism in the City and the region were huge. Council Member Campbell noted his agreement with Mr. Vogler.

Council Member Saunders stated Ms. Bobe and her office will do an excellent job managing tourism for the City and wondered if the City was prepared to handle the expected influx. City Manager Ken Larking noted one of the topics that came up during the Investing in Danville meetings centered on what to do with tourism knowing that the Caesars resort in Danville would drive a lot of tourism to the area; how does Danville take advantage of that. Based on the committee work, if the region can build new tourism assets and promote assets that already exist, that it would be a long term, sustainable benefit for the community and local businesses that already exist, and the new ones that would come here.

Mr. Buckner noted he agreed with what has been said, Danville and Pittsylvania County can combine forces and running this through the Economic Development department was a great idea. Vice Mayor Miller noted this was a great idea; Economic Development will do it very well and questioned what additional expenses does the City Manager see. Mr. Larking noted with the new resources that will be coming to the City, there will be new opportunities to invest in tourism and marketing in a way that should produce results for the region. It would probably require an additional person, eventually, and additional costs related to marketing materials. Director of Economic Development Corrie Bobe explained they have had conversations with the consultant specializing in tourism, as well their partners in the Virginia Tourism Corporation, and for a community of their size with the existing tourism assets, they anticipate \$200,000 a year to be sufficient, and that includes additional personnel.

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

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

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$31,693

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

ORDINANCE NO. 2020-12.03

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT IN AN AMOUNT OF \$31,693 FOR EQUIPMENT UPGRADES TO THE DANVILLE REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM, AND APPROPRIATING SAME

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

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR GRANT FUNDS FOR THE VICTIM/WITNESS PROGRAM IN THE AMOUNT OF \$177,083

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

ORDINANCE NO. 2020-12.04

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$177,083 AND APPROPRIATING SAME.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FOR DOMESTIC VIOLENCE VICTIM PROGRAM

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

ORDINANCE NO. 2020-12.05

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$44,635 AND APPROPRIATING SAME.

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

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BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION FOR A DANVILLE REGIONAL FOUNDATION PEACE GRANT IN THE AMOUNT OF \$25,000

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

ORDINANCE NO. 2020-12.06

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM A DANVILLE REGIONAL FOUNDATION GRANT FOR THE P.E.A.C.E. WITH POLICE (POLICE EMBRACE ACTIVE COMMUNITY ENGAGEMENT) INITIATIVE IN THE AMOUNT \$25,000 AND APPROPRIATING SAME

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR REVENUES FROM CAESARS VIRGINIA LLC.

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

ORDINANCE NO. 2020-12.07

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM CAESARS VIRGINIA, LLC, CASINO REVENUES FOR VARIOUS CAPITAL IMPROVEMENTS FOR AN APPROPRIATION IN THE AMOUNT OF \$15,000,000 AND APPROPRIATING THE SAME

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

Council Member questioned why does that go into the General Fund and then disbursed at Council's pleasure. Mr. Larking noted this Ordinance was set up with flexibility so that not every project that would be funded with these funds would require a separate action by City Council. Staff does not know exactly what the funds will be used for with the exception of the \$2.9M that was needed initially for the police station project. Other than that, Council has not made any decision, there would be no payments made with this money without Council having a discussion about the item and authorizing him to do that.

Mr. Larking explained the revenue that eventually will come on an annual basis when the casino was up and running, and the City was receiving the state collected taxes and the other taxes, will be estimated as part of the annual budget process. Decisions about appropriations would be made during that time. This initial payment was one time money, available for the police station and potentially other projects that Council authorizes, but the ongoing revenues will go through the regular budget process. Mr. Saunders questioned before it was finalized, citizens and others will have an opportunity to give their thoughts on this and Mr. Larking noted they would. The Investing in Danville Committee meetings will have a report in the next month or so which will outline what they recommend based on citizen feedback they have received. Ultimately, Council has the authority to make the decision based on those recommendations. They will make sure the discussion was public and citizens can have their say during that process. When the casino was up and running, a business paying taxes in Danville, there will be taxes that other businesses

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don't pay; they will also pay the usual taxes of meals, sales, property, and hotel taxes. Those were just the normal taxes, on top of that there will be the gaming taxes which the City estimates to be \$22M per year, once it was up and running, plus an additional supplemental payment from Caesars of \$12M per year. That was a significant amount of money to discuss, a lot of conversations will happen between now and before that revenue starts coming in; they have a few years to think about how to properly invest these funds. Next year some time, the Council may want to have a retreat that focuses on this type of information and have that discussion.

Mr. Vogler noted the City Manager had mentioned the police precinct will be part of that fund, but unless he was not understanding it, the way it was worded, Mr. Larking will receive feedback from Council, but technically the money could be spent without any further formal vote. Mr. Larking stated he believed that was the case, it eliminates the necessity for City Council to have a separate vote on every single item that Council wants to vote on for a particular amount of money. Mr. Vogler noted he was not necessarily opposed to that, but thinks it might not be a bad idea for Council to go item by item. He thinks they all want to make sure it was spent the wisest way possible. Anytime Council has an opportunity to go project by project and have hearings and feedback on it, and discusses each one on its merit, that was a good thing. Was there a reason why it was worded that way and can it be adjusted.

City Attorney Clarke Whitfield noted this was very typical of many of the first readings that Council had this evening. They usually allow, when possible, the flexible budget, but he would suggest if it was something Council wanted to vote on, project by project, they could do that with Resolutions on the agenda. Mr. Vogler noted he believed it was better if they could go case by case and discuss each project on its merits. Mr. Larking stated what the City Attorney suggested made a lot of sense, to have the ordinance rewritten to add a line that says, any further appropriations from this would be done by Resolution of Council. Mr. Whittle noted he liked that better and they should have done the same with the police station; he thinks the citizens think that they didn't get good input on what went on with it. Vice Mayor Miller noted he concurred with Mr. Vogler; at the end of the day, the citizens were going to hold City Council responsible for this money. The police station was already voted on, there was a public hearing for that, and Council voted to approve the police station; for the rest of it he thinks Council needs to look at all of them.

Mr. Buckner noted this was a onetime item and it should be used for one time expenditures, not for ongoing expenses. The infrastructure coming into the City needed attention and with this, it can be addressed. Mayor Jones noted he was glad the City Manager and City Attorney were going to go back and re-evaluate this item. It was important for Council to be transparent.

Mr. Larking stated he and Economic Development Director Corrie Bobe had met with several members of the City of Richmond team to discuss Danville's process in choosing a casino operator. They tried to be as helpful to them as possible, and believed it was true that Danville was being recognized for the way they handled the RFP process; it was great that other cities were looking at Danville as the model. Mr. Whitfield noted he had conversations with the City Attorney from Richmond who stated Richmond was going to copy how Danville did the Casino referendum; they may be asking for some of the City documents and may be using some of the same consultants. On the Ordinance, Mr. Whitfield stated, there were two ways to do that and wanted to make sure staff understands how Council wants to do it. Staff can completely eliminate the fourth paragraph and Council would go through an appropriation process with a first reading and final adoption for everything they spend. Or, Council can amend that fourth paragraph to call for a resolution which would be a onetime vote and presentation. Mayor Jones asked Mr. Whitfield to bring this to tonight's work session for further discussion. Mr. Campbell commended the City Manager for his transparency and thanked him for what he does.

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COMMUNICATIONS

City Manager Ken Larking hoped everyone had a great Thanksgiving and has a happy holiday season.

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

Council Member Mayo welcomed Mr. Hood, noting Council was a learning process; as Mr. Saunders stated, they may disagree but can come to an agreement.

Vice Mayor Miller noted he thinks everyone in the room has been touched by COVID, and this week he lost a dear friend from Roanoke, Larry Monahan. He was a good physician and his patients loved him. Dr. Miller asked citizens to pray for the nurses who are caring for these patients. Perdue Pharma has pleaded guilty, the producers of OxyContin, which caused hundreds of thousands of deaths and he believes criminal charges should be filed against the upper level executives of this company. Dr. Miller noted it looked like the City may be able to show the citizens some utility rate decreases and they would be hearing about a battery storage item soon.

Council Member Saunders welcomed Mr. Hood to Council and following up with what Dr. Miller said, they were living in some unprecedented times and noted a special thanks to the front line workers, and a special prayer to families during this time. Mr. Saunders asked citizens to pray for each other and everyone, and don't sweat the small stuff, it was all small stuff.

Council Member Vogler welcomed Mr. Hood to Council, and wanted to thank all the essential workers for what they have done from the beginning during this pandemic, the truck drivers, food service workers, automotive field, public safety, doctors and nurses. His wife was a nurse and he heard the stories everyday of what was going on in the Emergency Rooms; the country was still in the middle of this, even with a vaccine coming soon. Mr. Vogler encouraged citizens to continue to pray for the City, for the nation and those across the world, and encouraged citizens to continue to support local small businesses.

Council Member Whittle welcomed Mr. Hood to Council and was sure he would do a great job; everyone was glad to help in any way. Mr. Whittle wished everyone a Merry Christmas and Happy Holidays.

Council Member Buckner noted on one of the items in tonight's agenda, a special use permit for a restaurant at 1050 Main Street, thanked the Kropp family for their continued support and investment in the community and thanks for bringing more options to the City. Mr. Buckner noted his agreement with Mr. Vogler, during COVID, it was important to shop and support local businesses more than ever. Mr. Buckner noted he would like a discussion in a work session in the near future about offering recycling to businesses in the area.

Council Member Campbell welcomed Mr. Hood and noted his agreement with what has been said about the COVID pandemic. He was glad to see that school system was virtual right now, and prays that they will make wise decisions for the future for the children and teachers.

Council Member Hood thanked the citizens of Danville for allowing him the opportunity to serve on City Council, noting he has been welcomed by Council Members and City staff, he appreciates that. Mr. Hood noted he hoped everyone had an awesome Thanksgiving and was having a great week. As a City, they have strength, show strength together and that was positive. Mr. Hood noted he was looking forward to serving to the best of his ability with the help of his colleagues.

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Mayor Jones welcomed Mr. Hood, and remembered from his campaign, it was about people, not politics, and it sounds like he heard that tonight; Council Members wanted to make sure people were engaged. It had been a Thanksgiving like many had never seen before; they couldn't have a lot of people at their homes and celebrate the way they normally celebrate. Throughout the year, they have not had any fashion shows, concerts, have not been able to go to large venues for fellowships; they have not been able to shake hands with people or hug people. Council Member Vogler sent out a message this week saying there would be someone at Council who would possibly be doing some kind of Christmas greeting and he started studying that; how do you give a Christmas greeting in times like this. What do you say to people, people were hurting, and people needed help. He does not know what they as a Council can do; he had a lot of ideas sent to him today, but some can't be done because of COVID. He was asking Council was there any way they can lead the community to having one of the most joyous Christmases in these unprecedented times; let them put their minds together to see what they can come up with.

ADJOURNED: 8:27 P.M.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK