

December 1, 2020

A Regular Work Session of the Danville City Council convened on December 1, 2020 at 8:30 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. Council Members present were: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo 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 Larking, Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield Jr. and City Clerk Susan M. DeMasi.

Mayor Alonzo L. Jones presided.

MINUTES

Upon **Motion** by Council Member Saunders and second by Council Member Mayo, Minutes of the Regular Work Session held on November 5, 2020 were approved as presented. Draft copies were distributed to Council Members prior to the Meeting.

WORK SESSION ITEMS

Mayor Jones asked the City Attorney to discuss the options for the Caesars' Ordinance and Mr. Whitfield suggested staff add a paragraph that states, be it further ordained that \$2.9M was hereby appropriated for payment to 2291 Schoolfield LLC for the new police station. On the fourth paragraph, they could either eliminate the paragraph, which would require Council to go back and have a first reading and final adoption for every item. Or, Council could add language that says, be it further ordained that all further expenditures shall be approved by Resolution approved by the Council prior to such expenditure. By straw poll, Council chose the second alternative.

City Manager Ken Larking noted the \$2.9M was needed right away because of the agreement with the developer for the police station. Because there was a gap between now and when the City starts receiving recurring casino revenues that would make the purchase and lease payments, the City should set aside a certain portion of that \$15M to make those payments. Staff believes it may be about \$3M, it may be less; they want to set aside \$3M for that, which will probably be a second resolution.

CONSIDERATION OF APPOINTMENTS TO BOARDS AND COMMISSIONS

Vice Mayor Miller noted the Committee on Appointments met earlier this evening and make the following recommendations:

Building Code Board of Appeals:	Reappoint:	Jeffrey L. Bond and Arthur Craft
Employee Retirement System:	Reappoint:	Lenard Lackey
Fair Housing Board:	Reappoint:	Emmett Young and Tommy Bennett
Planning Commission:	Reappoint:	Kalil Khan and James Bolton
Danville Pittsylvania Community Services Board:	Appoint:	Geary Davis

Council had no objections to the proposed Appointments.

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CONSIDERATION OF VACATING APPROXIMATELY 0.58 ACRES OF RIGHT OF WAY ON OLD FARM ROAD

Assistant Director of Public Works/City Engineer Brian Dunevant noted the City had a request to vacate some unimproved right of way on Old Farm Road, from the adjacent property owner. Staff has sent this through all the applicable departments and there no objections. Staff recommended that the City vacate the right of way.

Council agreed to put this on an upcoming business agenda.

CONSIDERATION OF PETITIONING THE COMMONWEALTH TRANSPORTATION BOARD FOR OWNERSHIP OF PARCEL #50902

City Attorney Clarke Whitfield explained the Commonwealth of Virginia owns this piece of property; the City had sent them a bill for grass cutting, and they did not realize they owned it. The Commonwealth said they would not pay for the grass cutting but would give the City the lot. Mr. Whitfield recommended the City accept the lot and get it back onto the tax rolls.

Council agreed to put this on an upcoming business agenda.

PROGRAM UPDATES

Mr. Larking noted Council will receive an email from the IT department in the next few days; the City was migrating from the current Microsoft Office to a Cloud Based Office 365. They will be taking the emails off the server and onto the Cloud. When they migrate over, there have been some people having to re-enter their credentials, and it may happen to Council Members. If they have any issues during the process, Council can reach out to the City Manager's office, they will connect them with the Help Desk and get their device working as quickly as possible.

City Attorney Clarke Whitfield explained there were changes to the Freedom of Information Act; each locality was required to have a FOIA officer and list that officer on the website. Currently he was the FOIA Officer for the City, and was proposing that Arnold Hendrix, the City's Public Information Officer be appointed as the City's FOIA Officer. This will be on an upcoming business agenda.

Mr. Whitfield noted he received an email from Judge Kiser's law clerk who was asking Council to pass a proclamation recognizing Judge Kiser for his thirty-nine years of service to the City of Danville. He was appointed in 1981 and served until his death several months ago. There were no objections from Council for the City Attorney to put together a resolution for Judge Kiser.

ECONOMIC DEVELOPMENT UPDATES

Mayor Jones noted the new location for the antique store on Arnett Boulevard was a great idea and Director of Economic Development Corrie Bobe noted all the credit goes to Kelvin Perry.

Mr. Buckner brought an article in Virginia Business to the attention of Council, 100 People to Meet, the Rainmakers, and the second name on the list was Ms. Bobe, honored in the publication for her hard work and dedication to the City of Danville. Ms. Bobe thanked Council for their support, without that, they would not see so much success, not only within the City of Danville but throughout the entire region.

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Ms. Bobe noted it was time for the EDA CEDS; each year they work in partnership with the Planning District and other localities within Southern Virginia to submit their Community Economic Development Strategy. Included was a list of projects they would like to seek out additional funding for; this was a partnership not only with the Economic Development Office, but with Parks & Recreation, Utilities and Public Works. Many of the projects were long term, heavy investments that the City and/or the City and County will make. By being on this list, the City will be able to apply for grant funding through the EDA, or if they were planning on applying for funding through the State, being part of this list, their applications will rank higher in the consideration. This item will be on an upcoming business agenda.

Council Member Campbell questioned for next year, the Riverfront Park, will they be moving forward with that and Ms. Bobe noted she hoped so. Parks & Recreation was over half the way funded for the park and Mr. Sgrinia has been reaching out to local industries for contributions. They would love to see it funded and under construction in 2021. Mr. Campbell asked if they could use money from the Casino and Mr. Larking noted it was one of the items that was up for discussion by the Investing in Danville Community. People felt it was one of the projects that would be under consideration; it was ultimately up to Council to decide how to do that.

Dr. Miller questioned if there was any hope of getting the money back from the Governor's Budget, the \$700,000 they struck from the budget this year and Mr. Larking noted they will keep trying to get that. There was \$740,000 that was taken away when the pandemic hit; Whitt Clement was instrumental in helping Danville get that appropriation and he has been in conversations with him about how to get that back. Mr. Vogler noted there were some items they could move forward with related to the park without having the full amount so the City was not starting from scratch. Mr. Larking noted he sent an email to Council about doing the design work, and based on the feedback he received, he authorized Mr. Sgrinia to go forward with the design work for the park. Once that was completed, the City can go out to bid, get some real costs on what it would cost to build the park and Council can make a decision on how to appropriate those funds to cover that cost.

CLOSED MEETING

At 8:53 p.m., Vice Mayor Miller **moved** that this meeting of the City Council of the City of Danville, Virginia be recessed and that Council immediately reconvene in a Closed Meeting for the following purposes: discussion and consideration of the acquisition and disposition of real property, for a public purpose where discussion in an open meeting would adversely impact the bargaining position of the City as permitted by Subsection (A)(3) Section 2.2-3711 of the Code of Virginia, 1950, as amended, and more specifically to consider the discussion regarding the sale of a specific parcel of property for use by a prospective industry or mixed use project looking to locate to the City; and an economic development discussion and update concerning a prospective businesses or industry where no previous announcement has been made, or the expansion of an existing business or industry where no previous announcement has been made as permitted by Subsection (A)(5) of Section 2.2-3711 of the Code of Virginia, 1950 as amended, and more specifically to consider the update of multiple prospective businesses or mixed used industrial projects considering locating in the City or region as well; and discussion or consideration of investment of public funds where bargaining is involved where if made public initially, the financial interest of the governmental unit would be adversely affected as permitted by Subsection (A)(6) of Section 2.2-3711 of the Code of Virginia 1950 as Amended.

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

Upon unanimous vote at 10:31 p.m., Council reconvened in open session, and Vice Mayor Miller moved for adoption of the following Resolution:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Council convened in Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia, 1950, as amended, requires a Certification by the Council that such Closed Meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements of Virginia Law under Section 2.2-3711 were heard, discussed or considered, and (ii) only such public business matters as were identified in the Motion by which the Closed Meeting was convened were heard, discussed or considered by the Committee.

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

ADJOURNED: 10:32 P.M.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK