

August 5, 2021

The Regular August meeting of the Danville City Council was held on August 5, 2021, at 7:02 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. Buckner entered the meeting at 7:04 p.m.*

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 noted the passing of Norma Brower, an employee of the City of Danville and asked Deputy City Manager Earl Reynolds to say a few words. Mr. Reynolds stated he met Norma when he came to work at the City eleven years ago. He noted he will never forget the many conversations they had after five o'clock where they developed and solidified their friendship. Norma was one of the kindest people anyone would ever meet and would oftentimes come into a situation and instead of pointing fingers, she would say "this is what we are going to do." She was focused on the mission of the job and helping people. Mayor Jones asked for a moment of silence for Norma Brower.

INVOCATION

The Invocation was given by Vice Mayor Gary P. Miller, followed by the Pledge of Allegiance.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Vincent Brown, SPM Empowerment, 1218 West Main Street, and Assistant Director Gerald Harris, along with students from the Apprenticeship Training Program. Mr. Brown gave an update on the program; their first enrollment was well over eighteen people with an additional eighteen waiting to be enrolled. Mr. Brown noted he sent a proposal to the City of Danville, has not heard back yet, and would like to hear how the City can assist them. Council Member Campbell asked Mr. Brown what he wanted the City to do, and Mr. Brown stated he was asking the City to consider his proposal, they need about \$500,000 to start off this program.

Mayor Jones recognized a citizen (citizen did not give her name) who noted she has been to the police department, and stated there was a lot of activity on her street, a small dead-end street with seven houses and her family members occupy four of them. There was a lot of drug activity up and down the street and asked someone to look into this.

Mayor Jones recognized Stephen Gould, Byrnes Gould Law, the local representatives for Caesars Entertainment, who noted Caesars will be sharing an opportunity later this month for members of the public to provide input on the design of the Caesars Virginia Resort. It will be Monday, August 23rd at 5:30 p.m. at the old Dan River Welfare Building at 917 West Main Street. Representatives from Caesars Entertainment will be in town to provide some information on design concepts, color palettes, and material preferences, related to the design of the project.

Council Member Campbell noted Council had sessions with Caesars recently and some of the wishes that he has been requesting personally from the beginning, they were really trying to make opportunities for all areas of the community. He was expecting it would be transparent as possible, not only jobs but contracts and certification. He would like the community to know the progress going forward, and he wants prosperity to be shared in all areas of the community from this, and believes there were opportunities. Council Member Saunders thanked Mr. Gould for sharing this information with Council. In response to Mayor Jones, Mr. Gould noted his firm was

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collecting information from vendors who were interested in contracting opportunities with the Caesars Virginia project, and invited citizens to send an email to info@byrnesgould.com or call them at 792-2424. Mr. Gould noted in response to Mr. Campbell's comments, he believes that Caesars was absolutely committed to making sure opportunities were available to anyone in the community and making sure that they not only meet, but exceed the obligations they have committed to under the Development Agreement. Vice Mayor Miller noted Caesars had pledged to use minority contractors as well as hire minorities at the casino, which impressed many of the Council Members; they expect Caesars to live up to that. Council Member Whittle questioned the percentage and Mr. Gould explained the Development Agreement requires that Caesars use commercially reasonable efforts without having a specific number included. Looking at what Caesars has done with other projects, there was an unquestioned commitment to making sure that there was true supplier diversity, and that opportunities were shared throughout the community.

MEETING MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Mayo Minutes from Regular Council Meeting held on July 6, 2021 were approved as presented. Draft copies of the Minutes had been distributed prior to the meeting.

OLD BUSINESS

AUTHORIZING UTILIZATION OF THE CITY'S FISCAL YEAR 2022 BORROWING CAPACITY TO ISSUE GENERAL OBLIGATION BONDS

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

ORDINANCE NO. 2021-07.10

AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$16,000,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF VARIOUS CAPITAL PROJECTS

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

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

REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS

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

ORDINANCE NO. 2021-07.11

AN ORDINANCE OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA, REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$141,000,000 AND AUTHORIZING SUCH BONDS

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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

NEW BUSINESS

PUBLIC HEARING - AMENDING THE ZONING ORDINANCE TO UPDATE ARTICLE 8, PARKING AND LOADING REQUIREMENTS

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Ordinance. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 22, 2021 and July 29, 2021. 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. 2021-08.01

REPEALING AND REORDAINING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY UPDATING, REORGANIZING, AND CLARIFYING ARTICLE 8, ENTITLED "PARKING AND LOADING REQUIREMENTS"

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

Council Member Whittle questioned some of the overlap that was removed from the Code, and Director of Planning Doug Plachcinski explained a few of the uses that overlapped were things like wholesale and light industrial uses that were similar. A lot of those uses based their parking requirements from square footage, and not occupancy. Eliminating and switching the minimum parking space standard requirements to an occupancy rate instead of square footage cuts down the amount of extra parking required. Mr. Plachcinski noted they changed some of the stacking requirements to allow different stacking ratios for drive up windows. They were trying to work with some of the quick service food restaurants in town to facilitate that process. This applies uniformly throughout the districts; the City referenced the Virginia State Code for barrier free and handicap assessable parking spaces and the City will not be in conflict.

Council Member Vogler noted he was happy the City was doing this; it was something he and Mr. Buckner have been asking for, for some time. Mr. Plachcinski has done a great job streamlining this Code, cleaning it up and making it better. It was a step in the right direction to make the City as business friendly as possible, to take some of the burdensome requirements that used to be there in the past, cleaning that up and making it simpler. In response to Mr. Vogler, Mr. Plachcinski stated there used to be fifty-four different classifications for parking requirements and there were now twenty-five, after updating the Code.

Council Member Buckner noted this was discussed for several years; the City did an initiative several years ago, 100 Days, 100 Ways, and this was one of the many ideas staff and Council worked on to make Danville a more business friendly place. Mr. Buckner noted his appreciation for Mr. Plachcinski looking into this. Council Member Whittle asked about changes on Craghead Street and Mr. Plachcinski stated the old parking requirements did not have parking standards

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that would have addressed handicapped accessible spaces required for developments on Craghead. It would not have allowed the City's development review process to consider on-street parking; this amendment does. The City can look at a broader area and rather than just focusing on on-site parking, doing a better parking count.

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

PUBLIC HEARING - AMENDING THE ZONING ORDINANCE ON REGULATIONS FOR SATELLITE DISHES

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Ordinance for Satellite Dishes. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 22, 2021 and July 29, 2021. 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. 2021-08.02

AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY UPDATING ARTICLE 2, ENTITLED "GENERAL REGULATIONS" SECTION P. ENTITLED "ACCESSORY USES AND STRUCTURES", ITEM 11 TO PROVIDE DIFFERENT REGULATIONS FOR SATELLITE DISHES LESS OR GREATER THAN 3'.

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

Council Member Saunders questioned the "growing issue" referred to in the Council Letter and Mr. Plachcinski explained this originated from complaints staff received about the smaller satellite dishes, that were in front yards. In reviewing the Zoning Code, staff realized the Code prohibited that, but they were seen in many places in the community. After discussions, the City has certain obligations to allow people to access Satellite TV and broadband. If a citizen was in a location where the only way to get that access was a dish in the front yard, the City cannot have a rule that stops that. Understanding front yards were the best locations for a lot of these dishes, staff felt it best to make some basic rules about color, height limitations and setbacks so small dishes needing to locate in a front yard, can without needing to seek a zoning variance. Council Member Buckner questioned if this would affect businesses that use satellite dishes such as television and radio stations and Mr. Plachcinski noted potentially it could for any new equipment that would have to be permitted, but everything that was existing now was legally non-conforming.

PUBLIC HEARING - CONSIDERATION OF VACATING TWO UNUSED CITY EASEMENTS IN PITTSYLVANIA COUNTY

Mayor Jones opened the floor for a Public Hearing regarding Vacating Two Easements. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 27, 2021 and August 3, 2021. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2021-08.01

AUTHORIZING THE ABANDONMENT OF TWO UNUSED CITY EASEMENTS ACROSS PROPERTY IN PITTSYLVANIA COUNTY IN ORDER TO FACILITATE THE DEVELOPMENT OF SOLAR ENERGY INSTALLATIONS UPON THE SAME PROPERTY.

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

REIMBURSING EXPENDITURES WITH PROCEEDS OF A BORROWING

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

RESOLUTION NO. 2021-08.02

RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

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

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ADDITIONAL STATE AVIATION FUNDING

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

ORDINANCE NO. 2021-08.03

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL STATE AVIATION FUNDING FOR THE PURPOSE OF COMPLETING DESIGN SERVICES TO DEVELOP AN AIRCRAFT PARKING RAMP AND AUTOMOBILE PARKING LOT FOR FUTURE CORPORATE HANGAR DEVELOPMENT IN THE AMOUNT OF \$71,116 PLUS LOCAL SHARE IN THE AMOUNT OF \$17,779 TO BE PROVIDED BY A TRANSFER FROM THE SUPPORT OF GENERAL FUNDS 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 2022 BUDGET APPROPRIATION ORDINANCE IN THE AMOUNT OF \$200,000 FOR THE PURCHASE OF 53.45 ACRES AT ANGLERS PARK

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Upon **Motion** by Vice Mayor Miller and **second** by Council Member Buckner, an Ordinance entitled:

ORDINANCE NO. 2021-08.04

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR AN AWARD FROM THE VIRGINIA OUTDOORS FOUNDATION IN THE AMOUNT OF \$200,000 FOR THE PURCHASE AND DEVELOPMENT OF 53.45 ACRES AT ANGLERS PARK AND APPROPRIATION OF 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 2022 BUDGET APPROPRIATION ORDINANCE FOR ECONOMIC DEVELOPMENT INCENTIVES IN THE AMOUNT OF \$1,025,000

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

ORDINANCE NO. 2021-08.05

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ONE COMMONWEALTH OPPORTUNITY FUND GRANT FROM THE VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP IN THE AMOUNT OF \$135,000, TWO TOBACCO REGION OPPORTUNITY FUND GRANTS FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNTS OF \$350,000 AND \$270,000, AND ONE FOR A TOTAL OF TOBACCO REGION OPPORTUNITY FUND LOAN FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNT OF \$270,000 FOR A TOTAL OF \$1,025,000 AS ECONOMIC DEVELOPMENT INCENTIVES FOR TAXABLE CAPITAL INVESTMENTS AND JOB CREATION IN THE COMMONWEALTH OF VIRGINIA.

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

COMMUNICATIONS

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

Council Member Vogler noted National Night Out was fun as always, Council Members rode along to locations and to the Schools, and Council will be prepared next year for the rematch at Cardinal Village. It was wonderful to interact with all the citizens and looks forward to it next year.

Council Member Buckner stated National Night Out was a blast and Council Members had an amazing time. Mr. Buckner noted he was saddened by the news of Norma Brower's passing. He was appointed many years ago to the Fair Housing Board and he learned so much, it honestly made him want to change his career to real estate, to help and work with people. Norma was a shining light in the City and will be missed. Mr. Buckner also congratulated Mildred Richardson who was promoted to Assistant Principal of the Danville Public Schools Virtual Academy.

Council Member Campbell also congratulated Ms. Richardson on her promotion and thanked Mr. Reynolds for his presentation on Norma Brower, it was touching for him, his family and Mr. Bennett.

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She stood for efficiency in the administration and helped carry the City to the next level; she dedicated herself to this community.

Council Member Hood noted in 2015, Norma Brower sent him a personal message that told him to keep fighting the good fight; it gave him the encouragement to continue to push forward. She spoke up for him in different areas and allowed him to be invited into rooms he might not have gone into. Mr. Hood noted he enjoyed National Night Out, to be out in the community, see the buy-in everyone had and riding in the trolley with Council and City officials. Tomorrow, at the ARC Family Life Center at 427 East Thomas Street, they were doing a clothes drive for all students.

Council Member Mayo noted his congratulations to Ms. Richardson on her new role, and stated Ms. Brower persevered in whatever she dealt with and went through. Her loss has hit people in the community and the staff in City Hall; people will not forget the work she has done. SPM was doing wonderful things, bringing an opportunity for many, and thanked Mr. Gould for his report.

Vice Mayor Miller noted on August 7, 1984 the first National Night Out was held; at that time, it was just citizens turning on their porch lights. Now it has grown to 300,000 people in 15,000 communities. It was a great event; Council had a lot of fun and it was good to visit the different communities. Dr. Miller discussed COVID-19, cases were up and the community getting back to levels from March. 90% were non-vaccinated patients, and Dr. Miller encouraged citizens to get the vaccine.

Council Member Saunders recognized Sergeant Ferguson of the Danville Police Department, who has been assigned to the Community Engagement division, with Bikes on Main, National Night Out which was well coordinated, and thanked Sergeant Ferguson and his staff, he was doing a great job. Mr. Saunders noted Norma Brower was a great lady, a great ambassador for the City, she will be really missed, and thanked Mr. Reynolds for his recognition.

Mayor Jones recognized Mildred Richardson and thanked her for all she has done for the community, and congratulations on her promotion. Mayor Jones also congratulated Sergeant Ferguson for the work he and his team were doing, and noted Norma Brower's funeral will be in New Jersey; she will be missed. To all the City staff, Council appreciates everything they do, and thanked Council for all they do.

ADJOURNED: 8:10 P.M.

APPROVED:

s/Alonzo L. Jones
MAYOR

ATTEST:

s/Susan M. DeMasi, CMC
CITY CLERK