

September 1, 2009

The regular September Meeting of City Council was held on the September 1, 2009 at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: L. G. "Larry" Campbell, Jr., T. David Luther, Gary P. Miller, Vice-Mayor T. Wayne Oakes, Albert K. "Buddy" Rawley, Jr., Mayor Sherman M. Saunders, Fred O. Shanks, III, and Adam J. Tomer (8). Ruby B. Archie was absent (1).

Staff Members present were: City Manager M. Lyle Lacy, III, Deputy City Manager Joseph C. King, City Attorney W. Clarke Whitfield, Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Police Chief Philip Broadfoot, Finance Director Barbara Dameron, Community Development Director Jerry Fischer, Planning Director Kenny Gillie, Housing and Development Director Dianne Morris and Parks, Recreation and Tourism Director Bill Sgrinia.

Mayor Saunders presided.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Buddy Rawley offered the Invocation. The Pledge of Allegiance to the Flag followed.

#### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Saunders recognized Shirley Day Primiano, Regent of the Dorothea Henry Chapter, Daughters of the American Revolution. Dr. Primiano accepted a Certificate from Mayor Saunders proclaiming September 17-23, 2009 as Constitution Week in Danville. Dr. Primiano presented a tie imprinted with the Constitution of the United States to Mayor Saunders and distributed a booklet containing the Constitution to Council Members and staff.

#### **COMMUNICATIONS FROM VISITORS**

Lee Street resident Marty Jackson advised he had a four-year-old son who had been on Headstart's waiting list for over a year. Mr. Jackson said he was unemployed and expressed concern that his child would be behind in his class if he did not begin Headstart this year. He stated he was unable to pay to send his child to Headstart. Mayor Saunders asked Mr. Jackson to leave his contact information with the City Manager and the matter would be looked into.

Danville Educational Arts and Cultural Center (DEACC) Director Dr. Daniel Addis announced The Manhattan Trio would be presenting a concert on October 2 at 10 a.m. He advised the concert is free to preschool and kindergarten children and would be held at Sacred Heart School. On that same day at 7:00 p.m., the group will present a concert for adults at the DEACC building located at 769 Main Street. Dr. Addis said it would give the City exposure to symphonic orchestral music. He further announced a

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music class for children ages 4 and above would begin near the end of October.

**MINUTES**

Upon Motion by Council Member Luther and second by Council Member Miller, Minutes of the August 18, 2009 Regular Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

**BUDGET ADOPTION - FY 2010 - JAG PROGRAM GRANT**

Upon Motion by Council Member Miller and second by Council Member Rawley, Ordinance No. 2009-08.07 presented by its First Reading on August 18, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance by increasing revenue from the Department of Justice FY09 Recovery Act Edward Byrne Justice Assistance Grant (JAG) Program in the amount of \$163,618 to be used to implement technology improvements and equipment upgrades to the Danville Police Department, the Danville Sheriff's Office and the Danville Courthouse was adopted by the following vote:

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (9)  
NAY: None (0)  
ABSENT: Archie (1).

**BUDGET ADOPTION - FY 2010 - TITLE III-B & III-D GRANT FUNDS**

Upon Motion by Council Member Campbell and second by Vice-Mayor Oakes, Ordinance No. 2009-08.08 presented by its First Reading on August 18, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance by increasing certain revenues in the amount of \$243,510 to provide for Title III-B and Title III-D grant funds and local share for senior citizen programs and appropriating same was adopted by the following vote:

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (9)  
NAY: None (0)  
ABSENT: Archie (1).

**BUDGET ADOPTION - FY 2010 - VDOT URBAN HIGHWAY FUNDS**

Upon Motion by Council Member Shanks and second by Council Member Luther, Ordinance No. 2009-08.09 presented by its First Reading on August 18, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance for a project to be undertaken within the City and to be financed anticipating revenues from Virginia Department of Transportation Urban Highway funds in the amount of \$55,000 was adopted by the following vote:

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VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (9)  
NAY: None (0)  
ABSENT: Archie (1).

**PUBLIC HEARING - SPECIAL USE PERMIT AT 2015 NORTH MAIN STREET**

Mayor Saunders opened the floor for a Public Hearing to consider a request for a Special Use Permit to allow for the re-opening of a repair shop in an establishment located at 2015 North Main Street. Notice of the Public Hearing had been published in the Danville Register and Bee on August 18 and 25, 2009.

Gary Bender appeared to request a Special Use Permit to re-open a repair service established at his property located on North Main Street. Mr. Bender, who had operated a business at the location before relocating his present operation to Ridge Street, introduced Troy Graves who will be operating a furniture upholstery business there.

Following a question and answer period between Council Members and Mr. Bender, no one further desired to be heard and the Public Hearing was closed.

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-09.01

AN ORDINANCE GRANTING A SPECIAL USE PERMIT IN ACCORDANCE WITH ARTICLE 3.J, SECTION C, ITEM 12, OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 2015 NORTH MAIN STREET.

The Motion was seconded by Vice-Mayor Oakes and carried by the following vote:

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (9)  
NAY: None (0)  
ABSENT: Archie (1).

**BUDGET AMENDMENT - FY 2010 - CDBG RECOVERY PROGRAM STIMULUS FUNDS**

Upon Motion by Vice-Mayor Oakes and second by Council Member Campbell, an Ordinance entitled:

ORDINANCE NO. 2009-09.02

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDS IN THE AMOUNT OF \$283,823 FOR INFRASTRUCTURE IMPROVEMENTS IN THE WESTMORELAND TARGET NEIGHBORHOOD AND APPROPRIATING SAME

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

**AUTHORIZE REIMBURSEMENT AGREEMENT - DANVILLE FAMILY HOMES**

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-09.01

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT FOR THE DANVILLE FAMILY HOMES SUBDIVISION ON RICHMOND BOULEVARD.

Council Member Luther seconded the Motion.

Council Member Tomer stated he would vote against authorizing the Agreement because he did not agree with the rent-to-own concept of the developers. Mayor Saunders stated a resident would have to pay rent for fifteen years before being given the option to purchase the home; therefore, he would not support authorizing the Agreement.

The Resolution was adopted by the following vote:

VOTE: 6-2  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Shanks (6)  
NAY: Saunders and Tomer (2)  
ABSENT: Archie (1).

**CANCEL OCTOBER 20, 2009 COUNCIL MEETING**

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-09.02

A RESOLUTION CANCELING THE REGULAR MEETING OF CITY COUNCIL SCHEDULED FOR TUESDAY, OCTOBER 22, 2009 AND SCHEDULED A SPECIAL MEETING OF CITY COUNCIL ON THURSDAY, OCTOBER 22, 2009.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (9)  
NAY: None (0)  
ABSENT: Archie (1).

**COMMUNICATIONS**

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There were no communications from the City Manager and City Clerk.

City Attorney Whitfield reminded Council Members the second Meeting in October had been rescheduled for Thursday, October 22 due to the VML conference and the first Meeting in November would be rescheduled to Thursday, November 5 due to Election Day on the first Tuesday.

**ROLL CALL**

Council Members wished Mrs. Archie a speedy recovery.

Council Members Luther, Miller and Rawley commented on the soccer tournament held in Danville recently. Hotel/motel rooms were filled and local restaurateurs enjoyed brisk sales.

Mayor Saunders commended staff Members for the excellent and productive City Council Retreat held at the Institute on August 22.

The Meeting adjourned at 7:45 P.M.

APPROVED:

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MAYOR

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CITY CLERK