

The regular June Meeting of City Council was held on June 1, 2010 at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, L. G. "Larry" Campbell Jr., T. David Luther, Gary P. Miller, Vice-Mayor T. Wayne Oakes, Albert K. "Buddy" Rawley Jr., Fred O. Shanks III, and Adam J. Tomer (8). Mayor Sherman M. Saunders was absent (1).

Staff Members present were: 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, Public Works Director Ric Drazenovich, Human Services Director Gwendolyn Edwards, Interim Community Development Director/Planning Director Kenny Gillie, Interim Human Resources Director Tammy Owens, Management Analyst Amanda Paez, Economic Development Director Jeremy Stratton, and Budget Director Cynthia Thomasson.

Vice-Mayor Oakes presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member David Luther offered the Invocation. The Pledge of Allegiance to the Flag followed.

REMOVE ITEMS FROM AGENDA

Vice-Mayor Oakes announced Items IX B2 and B3 would be removed from the agenda and considered during the July 6 Council Meeting. These were removed at the applicant's request.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Vice-Mayor Oakes recognized Danville-Pittsylvania County Chamber of Commerce President Laurie Moran. Ms. Moran read and presented a Resolution adopted by the Chamber Board of Directors celebrating the life of former City Manager M. Lyle Lacy III. Mr. Lacy passed away on March 3, 2010. Ms. Moran presented the framed Resolution to Mr. Lacy's widow, Mary Ann Lacy. Mrs. Lacy accepted and thanked the Chamber for the honor on behalf of the Lacy family. She said if Mr. Lacy were here right now, he would say, "life is fun and I'm having a good time and it wouldn't have happened without all of you."

Virginia Cooperative Extension Service Agent Stuart Sutphin presented the organization's annual report. Mr. Sutphin introduced Tadashy Totten, the 4-H Development Youth Extension Agent. Both gentlemen reviewed the various activities of the agency, which includes the Master Gardeners program, speaking engagements, "Here's the Dirt" radio program, literature distribution, and the greenhouse and "seeds for kids" programs for schools. Mr. Totten reported he served approximately 2,600 youth in the 4-H program. He said he worked closely with W. W.

Moore, Jr. Detention Home inmates providing education programs about entrepreneurship and greenhouse management. Mr. Totten reported the students were very excited about the "going green" initiative. He further reported that his work involved, among others, a close relationship with the Boys and Girls Club and the Big Brothers Big Sisters program at Calvary Baptist Church.

Vice-Mayor Oakes thanked Mr. Sutphin and Mr. Totten for the outstanding work the organization does around the City and for the excellent report.

COMMUNICATIONS FROM VISITORS

Bruce Hedrick, an Old Halifax Road resident and Southside Central blogger, informed Council and citizens about a new Danville's own, WMDV Channel 44. The channel is part of the Star News Corporation that has TV stations in Martinsville and Reidsville. Mr. Hedrick advised he currently hosts programs on the Martinsville and Reidsville stations. Mr. Hedrick reported licensing requirements had been met and the group is currently making preparations to go on the air within the next few weeks. Mr. Hedrick advised he would be the station's main contact and programming would include comprehensive coverage of the Danville and Southside area and would have at least three hours of local programming each night. News and talk shows will be part of the programming along with viewer call-ins. The channel will be available on digital channel 47.2 and on Chatmoss Cablevision. Mr. Hedrick said the group is working to get the channel available on Comcast cable system; however, WMDV is not on a federally mandated, must-carry status. Mr. Hedrick asked for Council and citizen support in getting the station available on the Comcast cable system.

MINUTES

Upon Motion by Council Member Rawley and second by Council Member Archie, Minutes of the May 18, 2010 Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION - FY 2010 - CRIMINAL JUSTICE SERVICES FUNDS

Upon Motion by Council Member Campbell and second by Council Member Tomer, Ordinance No. 2010-05.04 presented by its First Reading on May 18, 2010 amending the Fiscal Year 2010 Budget Appropriation Ordinance by increasing revenues to anticipate the receipt of grant funds from the Department of Justice, office of Justice Programs, Bureau of Justice Assistance, 2010 Juvenile Accountability Block Grant (JABG) program in the amount of \$15,588 and the local matching funds from the Virginia Department of Criminal Justice Services (DCJS) in the amount of \$866 and the general fund support of grants in the amount of \$866 for a total appropriation in the amount of \$17,320 and appropriating same was adopted by the following vote:

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley,
Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

APPOINTMENTS

Council Member Luther moved adoption of the following Resolutions:

Resolution No. 2010-06.01 reappointing R. Helm Dobbins as a Member of the Airport Commission.

Resolution No. 2010-06.02 reappointing William E. J. McMann as a Member of the Airport Commission.

Resolution No. 2010-06.03 appointing Donna P. Benz as a Member of the Airport Commission.

Resolution No. 2010-06.04 appointing L. G. "Larry" Campbell Jr. as a Member of the Dan River Business Development Center.

Resolution No. 2010-06.05 appointing T. Wayne Oakes as a Member of the Danville Development Council.

Resolution No. 2010-06.06 appointing Daniel V. Farmer as a Member of the Danville Development Council.

Resolution No. 2010-06.07 reappointing Dr. Frank Wickers as the Private Provider Representative to the Danville-Pittsylvania Community Policy and Management Board.

Resolution No. 2010-06.08 appointing Linda Poke as the Parent Provider Representative to the Danville-Pittsylvania Community Policy and Management Board.

Resolution No. 2010-06.09 reappointing JoLane T. Dunlap as a Member of the Danville-Pittsylvania Community Services Board.

Resolution No. 2010-06.10 reappointing Jerry L. Testerman as a Member of the Danville-Pittsylvania Community Services Board.

Resolution No. 2010-06.11 appointing John B. Gilstrap as the Council Member Representative of the Danville Tourism Board.

Resolution No. 2010-06.12 reappointing Steven B. Daniels as a Citizen Member of the Danville Utility Commission.

Resolution No. 2010-06.13 reappointing Robert D. Schasse as a Citizen Member of the Danville Utility Commission.

Resolution No. 2010-06.14 appointing W. Jeffrey Liverman as the Customer at Large of the Danville Utility Commission.

Resolution No. 2010-06.15 appointing James K. Turpin as the Customer Member Residing Outside the City Limits of the Danville Utility Commission.

Resolution No. 2010-06.16 reappointing George E. Evans as a Member of the Public Welfare Advisory Board.

Resolution No. 2010-06.17 reappointing Doris E. Wilson as a Member of the Public Welfare Advisory Board.

Resolution No. 2010-06.18 appointing Robin M. Dabney as a Member of the Public Welfare Advisory Board.

The Motion was seconded by Rawley and carried by the following vote:

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley, Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

PUBLIC HEARING-SPECIAL USE PERMIT-762 PINEY FOREST ROAD

Vice-Mayor Oakes opened the floor for a Public Hearing to consider a request for a Special Use Permit at 762 Piney Forest Road to expand the Kentucky Fried Chicken establishment into the existing front yard setback area a total of 10 feet. Notice of the Public Hearing was published in the Danville Register and Bee on May 18 and 25, 2010. Applicant LED Enterprises representative Brian Lewis appeared to answer questions from Council Members and citizens. No one present desired to be heard and the Public Hearing was closed.

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-06.01

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO WAIVE CERTAIN YARD SETBACKS IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 21, OF CHAPTER 41, OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 762 PINEY FOREST ROAD.

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

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley, Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

PUBLIC HEARING - APPROVE FY 2011 BUDGETS FOR THE CITY OF DANVILLE

Vice-Mayor Oakes opened the floor for a Public Hearing to consider approval of the various budgets for the City of Danville for Fiscal Year ending 2011. Notice of the Public Hearing was published in the Danville Register and Bee on May 24, 2010. No one present desired to be heard and the Public Hearing was closed.

Upon Motion by Council Member Shanks and second by Council Member Luther, a Resolution entitled:

RESOLUTION NO. 2010-06.19

A RESOLUTION APPROVING THE BUDGETS OF THE VARIOUS FUNDS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

was presented by its First Reading to lie over before final adoption.

APPROVE FISCAL YEAR 2011 CAPITAL IMPROVEMENTS PLAN

Upon Motion by Council Member Archie and second by Council Member Shanks, a Resolution entitled:

RESOLUTION NO. 2010-06.20

A RESOLUTION APPROVING THE FISCAL YEAR 2011 CAPITAL IMPROVEMENTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA

was presented by its First Reading to lie over before final adoption.

BUDGET APPROPRIATION ORDINANCE FOR FY 2010-2011

Upon Motion by Council Member Rawley and second by Council Member Shanks, an Ordinance entitled:

ORDINANCE NO. 2010-06.02

BUDGET APPROPRIATION ORDINANCE FOR FISCAL YEAR 2011

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

FEES - COURTHOUSE CONSTRUCTION, RENOVATION OR MAINTENANCE

Upon Motion by Council Member Miller and second by Council Member Tomer, an Ordinance entitled:

ORDINANCE NO. 2010-06.03

AN ORDINANCE TO AMEND THE ASSESSMENT FOR COURTHOUSE CONSTRUCTION, RENOVATION OR MAINTENANCE

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

FEES - COURTHOUSE SECURITY - CRIMINAL OR TRAFFIC CASE

Upon Motion by Council Member Rawley and second by Council member Tomer, an Ordinance entitled:

ORDINANCE NO. 2010-06.04

AN ORDINANCE TO AMEND THE ASSESSMENT FOR COURTHOUSE SECURITY FEES IN EACH CRIMINAL OR TRAFFIC CASE

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

FEES - LAW LIBRARY - COSTS IN CIVIL ACTIONS

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

ORDINANCE NO. 2010-06.05

AN ORDINANCE TO AMEND THE ASSESSMENT FOR THE LAW LIBRARY AS PART OF COSTS IN CIVIL ACTIONS

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

BUDGET AMENDMENT-FY 2010-VDEM-STATE HOMELAND SECURITY PROGRAM

Upon Motion by Council Member Luther and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2010-06.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE TO ANTICIPATE THE RECEIPT OF GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY THROUGH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT (VDEM) FOR THE STATE HOMELAND SECURITY PROGRAM (SHSP) IN THE AMOUNT OF \$319,000 AND APPROPRIATING SAME

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

VDOT REVENUE SHARING FUNDS-STREET & HIGHWAY IMPROVEMENTS

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-06.21

A RESOLUTION APPROVING A REQUEST TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ALLOCATE REVENUE SHARING PROGRAM FUNDS FOR VARIOUS STREET MAINTENANCE AND HIGHWAY IMPROVEMENT PROJECTS.

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

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

EXECUTE AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-06.22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED AGREEMENT BETWEEN THE CITY OF DANVILLE AND NORFOLK SOUTHERN RAILWAY COMPANY, A VIRGINIA CORPORATION, TO LEASE THE FORMER RAIL PASSENGER WAITING AREA.

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

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

AMEND PERSONNEL SYSTEM FOR THE CITY OF DANVILLE, VIRGINIA

Council Member Archie moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-06.07

AN ORDINANCE AMENDING THE PERSONNEL SYSTEM OF THE CITY OF DANVILLE, AS AMENDED, PROVIDING FOR THE CLASSIFICATION, COMPENSATION, AND EMPLOYEE DEVELOPMENT FOR EMPLOYMENT POSITIONS OF THE CITY.

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

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

CODE AMENDMENT-CHAPTER 32-"UNUSED SICK LEAVE FOR CONSTITUTIONAL OFFICERS AND THEIR EMPLOYEES"

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-06.08

AN ORDINANCE AMENDING AND REORDAINING ARTICLE III, OF CHAPTER 32, SECTION 32-62, OF THE DANVILLE CITY CODE ENTITLED, "UNUSED SICK LEAVE FOR CONSTITUTIONAL OFFICERS AND THEIR EMPLOYEES."

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

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley, Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

PURCHASE FORMER DANVILLE LUMBER COMPANY SITE

Council Member Miller moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-06.23

A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF THE FORMER DANVILLE LUMBER COMPANY SITE.

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

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley, Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

AUTHORIZE MONTHLY CAR ALLOWANCE FOR CITY MANAGER

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-06.24

A RESOLUTION AUTHORIZING AND APPROVING A CAR ALLOWANCE OF \$500 A MONTH FOR THE CITY MANAGER.

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

VOTE: 8-0

AYE: Archie, Campbell, Luther, Miller, Oakes, Rawley, Shanks and Tomer (8).

NAY: None (0)

ABSENT: Saunders (1).

COMMUNICATIONS

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

ROLL CALL

Mrs. Archie reported she had attended former Community Development Jerry Fischer's farewell reception last week. She thanked Mr. Fischer for his outstanding service to the City of Danville and extended good wishes for a happy retirement.

Mr. Shanks reiterated Mrs. Archie's sentiments about Mr. Fischer. He offered congratulations to Danville Cancer Association's very successful march conducted this past weekend. He reported it was the largest turnout for the event ever experienced in Danville and thanked all who volunteered for the organization.

The Meeting adjourned at 7:46 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK