

The Regular July Meeting of Danville City Council convened on the above date 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., John B. Gilstrap, Alonzo L. Jones, Vice-Mayor T. David Luther, Gary P. Miller, Albert K. "Buddy" Rawley Jr. Mayor Sherman M. Saunders, Fred O. Shanks III, and Adam J. Tomer (9).

Staff members present were City Manager Joseph C. King, City Attorney W. Clarke Whitfield, Jr., and City Clerk Annette Y. Crane.

Other staff members present were Transportation Services Director Marc Adelman, Power and Light Director Ken Ashworth, GIS Coordinator Melissa Dabbs, Finance Director Barbara Dameron, Inspections Staff Member Charles Fulcher, Interim Community Development/Planning Director Kenny Gillie, Broadband Network Manager Jason Grey, Water and Gas Director Jim Harr, Information Technology Director Inez Harville, Inspections Director Jerry Rigney, Parks, Recreation and Tourism Director Bill Sgrinia, Utilities Director RB Sloan, Economic Development Director Jeremy Stratton, and Economic Development Consultant Linwood Wright.

Mayor Saunders presided.

INVOCATION AND PLEDGE TO THE FLAG

Council Member Larry Campbell offered the invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Searcy Street resident Avery Furguson appeared, representing the local chapter of the Virginia Organizing Project, to urge City Council to support the Local Jobs for America Act. Mr. Furguson reported he had been without employment for about eight months and said it was difficult to find a job in this part of the state. He voiced his support for Congress's proposed Community Jobs Program that would put citizens back to work in local public jobs. Mr. Furguson advised he would be present for Council's July 20 Work Session for further discussion on the issue.

MINUTES

Upon Motion by Vice-Mayor Luther and second by Council Member Rawley, Minutes of the June 15, 2010 Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

PUBLIC HEARING--AMEND 2020 LAND USE PLAN AT 1624 SOUTH MAIN STREET

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan from Suburban Single Family to Neighborhood Service. Notice of the Public

Hearing was published in the Danville Register and Bee on June 22 and 29, 2010.

Mayor Saunders noted this item was originally on the June 1, 2010 Council agenda and had been removed at the request of the applicant in order to talk with surrounding property owners about the proposed business and any concerns about spot zoning.

Herman Cook, Jr., owner of the property at 1624 South Main Street, urged Council to rezone his property from Old Town Residential to Transitional Office. Mr. Cook advised he had been unsuccessful in selling his property as residential, since it was surrounded by commercial properties. He advised that Ms. Hilda Hatchett would like to purchase the house and relocate her express tax business there, but he would be unable to sell unless the property was rezoned.

Mr. Cook distributed photos of surrounding properties to Council Members. Some felt the area became undesirable for residences following the construction of a cloverleaf intersection nearby.

College Park Drive Extension resident Delois Hill expressed opposition to the proposal. Ms. Hill said most of the residents were 55 years of age or older and several had expressed concerns about being displaced and the possible increase in traffic flow should the property in question be rezoned from residential to commercial. Mayor Saunders assured Ms. Hill the request for rezoning at 1624 South Main Street would have no effect on the current zoning of the College Park Extension residences.

Applicant Hilda Hatchett informed Council she wished to relocate her Southwyck Plaza Express Tax office to the South Main location. She said office rental at Southwyck had steadily increased and since she only worked from January through April during tax season, it was no longer economically feasible to remain at Southwyck.

It was the consensus among Council Members that illegal spot zoning would not be an issue since most of the surrounding properties are or would eventually become commercial.

No one further desired to be heard and the Public Hearing was closed.

Clerk's Note: No action was taken on a Resolution maintaining the Year 2020 Land Use Plan at 1624 South Main Street.

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-07.01

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM SUBURBAN SINGLE FAMILY TO NEIGHBORHOOD SERVICE AND REZONING FROM OT-R OLD TOWN RESIDENTIAL DISTRICT TO TO-C TRANSITIONAL OFFICE DISTRICT, 0.74 ACRES AT 1624 SOUTH MAIN STREET.

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

VOTE: 9-0
AYE: Campbell, Gilstrap, Jones, Luther, Miller, Rawley, Saunders, Shanks, and Tomer (9)
NAY: None (0).

PUBLIC HEARING - AMEND 2020 LAND USE PLAN AT 204 WOODLAND AVENUE

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan from Urban Single Family to Public Semi-Public Area and to rezone the property from OT-R Old Town Residential to RO-C, Transitional Office District at 204 Woodland Avenue. Notice of the Public Hearing was published in the Danville Register and Bee on June 22 and 29, 2010. No one present desired to be heard and the Public Hearing was closed.

Statement of Conflict of Interest

I, Alonzo L. Jones, do hereby state that I have a conflict of interest regarding the rezoning request of Averett University listed on the agenda as Item VIII (A) 1 & 2 because I am an employee of Averett University. Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code Section 2.2-3112, I must abstain from voting on this agenda item.

s/Alonzo L. Jones

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-07.02

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM URBAN SINGLE FAMILY TO PUBLIC AND SEMI-PUBLIC AREA AND REZONING FROM OT-R OLD TOWN RESIDENTIAL DISTRICT TO TO-C TRANSITIONAL OFFICE DISTRICT, 204 WOODLAND AVENUE.

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

VOTE: 5-3-1
AYE: Campbell, Gilstrap, Miller, Rawley, and Saunders (5)
NAY: Luther, Shanks, and Tomer (3)
ABSTAIN: Jones (1).

BUDGET AMENDMENT-FY 2011 - MASS TRANSIT PROJECT

Upon Motion by Council Member Rawley and second by Vice-Mayor Luther, an Ordinance entitled:

ORDINANCE NO. 2010-07.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FEDERAL AND STATE MASS TRANSIT FUNDING FOR THE PURPOSE OF DEVELOPING A DRIVERS MEETING ROOM AT THE MASS TRANSIT ADMINISTRATIVE FACILITY AND PASSENGER AMENITIES AT THE CROSSING AT THE DAN IN THE AMOUNT OF \$213,000 AND \$28,223 RESPECTIVELY AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$25,027 TO BE PROVIDED BY THE TRANSPORTATION FUND BALANCE FOR A TOTAL APPROPRIATION OF \$266,250

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 and City Clerk.

City Attorney Whitfield commended the prompt response by the Danville Fire Department to a fire at the residence of his parents recently.

ROLL CALL

Council Members commended Danville Harvest Jubilee for the outstanding July 4th celebration activities that was attended by a record number of citizens. Mr. Gilstrap and Mr. Jones were welcomed to their first official Council Meeting.

The Meeting adjourned at 7:45 P.M.

APPROVED:

MAYOR

ATTEST:

CLERK