

The Second 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. and Fred O. Shanks III (7). Mayor Sherman M. Saunders and Adam J. Tomer were absent (2).

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, Finance Director Barbara Dameron, Interim Community Development/Planning Director Kenny Gillie, Water and Gas Director Jim Harr, Key Accounts Manager Nate Lewis, Housing and Development Director Dianne Morris, and Utilities Director RB Sloan.

Vice-Mayor Luther presided.

INVOCATION AND PLEDGE TO THE FLAG

Council Member John Gilstrap offered the invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Chatelaine Avenue resident Ernest Williams and Pastor Loretta Murray appeared to urge Council to support the Local Jobs for America Act. Vice-Mayor Luther advised the matter would be discussed at length during the Work Session to follow.

Therit Winstead appeared to express his displeasure at being informed that he would have to discontinue moving surplus material from the parking lot, under construction at the Farmer's Market, to a site on Goodyear Boulevard. Mr. Winstead said he stored the material on Goodyear Boulevard and moved it as time permitted.

Mr. Winstead stated he was advised by Interim Community Development/Planning Director Kenny Gillie that the material was filling in the flood plain and he must stop placing the materials there immediately. Mr. Winstead disagreed with Mr. Gillie's ruling. He said considering his efforts, monetary losses and the unreasonable actions on behalf of the City, he felt abused rather than appreciated.

Vice-Mayor Luther thanked Mr. Winstead for bringing his concerns to Council. Mr. Luther asked City Manager King to meet with Mr. Gillie and provide Council Members with a report on the sequence of events relating to Mr. Winstead's issues.

Rev. Derrick Mercer thanked City Council and citizens for supporting the Second Chance Carwash located at 522 North Main

Street. An ex-offender owns the carwash and Rev. Mercer encouraged everyone to continue to support the business.

Mr. Luther called attention to Item VIII, F on the Agenda. It was noted on the agenda the item was up for a first reading, but in reality the item is due for Council's adoption.

MINUTES

Upon Motion by Council Member Campbell and second by Council Member Rawley, Minutes of the July 1, 2010 Inaugural Meeting of City Council and the July 6, 2010 Regular Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION - FY 2011 - MASS TRANSIT FUNDING

Upon Motion by Council Member Rawley and second by Council Member Shanks, Ordinance No. 2010-07.03 presented by its First Reading on July 6, 2010 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 adopted by the following vote:

VOTE: 7-0
 AYE: Campbell, Gilstrap, Jones, Luther, Miller, Rawley,
 and Shanks (7)
 NAY: None (0)
 ABSENT: Saunders and Tomer (2).

BUDGET AMENDMENT-FY 2011-VIRGINIA COMMISSION OF THE ARTS GRANT

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

ORDINANCE NO. 2010-07.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION OF THE ARTS GRANT IN THE AMOUNT OF \$5,000, AND TO PROVIDE FOR THE LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL GRANT OF \$10,000

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

BUDGET AMENDMENT-FY 2011-COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

ORDINANCE NO. 2010-07.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND ESTIMATED PROGRAM INCOME, FOR A TOTAL APPROPRIATION OF \$1,901,039

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

BUDGET AMENDMENT-FY 2011-STATE HOMELAND SECURITY PROGRAM GRANT

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

ORDINANCE NO. 2010-07.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT IN THE AMOUNT OF \$16,900 FROM THE STATE HOMELAND SECURITY PROGRAM GRANT FOR CITIZENS PREPAREDNESS PROJECT

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

BUDGET AMENDMENT - FY 2010 - STATE DEPARTMENT OF AVIATION GRANT

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

ORDINANCE NO. 2010-07.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE DEPARTMENT OF AVIATION MAINTENANCE GRANT FUNDS RELATED TO THE MAINTENANCE OF CERTAIN AIRPORT PROPERTIES AND THE ACQUISITION OF GROUNDS EQUIPMENT IN THE AMOUNT OF \$83,800 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$41,200 FOR A TOTAL APPROPRIATION OF \$125,000 AND APPROPRIATING THE SAME

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

AUTHORIZE \$1,200,000 TO FINANCE CAPITAL IMPROVEMENT PROJECTS

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

ORDINANCE NO. 2010-07.08

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,210,000 TO FINANCE CAPITAL IMPROVEMENTS TO THE CITY'S STREETS, STORMWATER SYSTEM, AIRPORT AND COMPUTER SYSTEM

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

In response to Mr. Shanks, City Manager King advised the Ordinance authorizes the inclusion in the bond issue, items that are in the current city budget with funding already appropriated, and moving the bond funding, of which \$1,000,000 is for financial incentives. If in the event and for whatever reason Council does not issue bonds, there is no harm done. If bonds are issued, this will be a part of it. Mr. King said that there was nothing in the Ordinance that would nail Council down.

In response to Dr. Miller, Mr. King said if the Ordinance is passed on second reading, it does nothing more than authorize inclusion of these items in a bond issue. The issuance of the bonds is still subject to Council approval. In the event Council does not approve bonds, this action will just sit on the shelf and have no consequence whatsoever.

In response to Mr. Luther, Mr. King stated Council could remove any item it chose from the list of improvements related to the issuance of the bonds.

A Public Hearing is scheduled on the matter during the August 3 Council Meeting before Council action takes place on the Ordinance.

AUTHORIZE CITY TO PAY PLAN 2 MEMBER CONTRIBUTIONS

Council Member Gilstrap moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-07.09

AN ORDINANCE AUTHORIZING THE ELECTION BY THE CITY OF DANVILLE TO PICK UP AND PAY ALL OF THE MEMBER CONTRIBUTIONS ON BEHALF OF ITS PLAN 2 EMPLOYEES (CONSTITUTIONAL EMPLOYEES HIRED ON OR AFTER JULY 1, 2010).

Council Member Jones seconded the Motion.

Mr. Shanks said he would like to have had the matter discussed during a Work Session before a decision was made.

City Manager King advised that during the 2010 session of the General Assembly, legislation was passed creating a separate retirement plan for constitutional employees hired on or after July 1, 2010. The legislation provides that these employees will pay their 5% member contribution unless the governmental employer

picks up the mandatory employee contributions and records the amounts as employer contributions.

Mr. King recommended that the City elect to pick up the 5% member contribution for all constitutional employees hired on or after July 1, 2010. He said that up to this point the City had picked up the 5% member contribution, but the new law allows for the City to elect to do so or not.

In response to Mr. Rawley, Finance Director Barbara Dameron advised the Sheriff's office has 5 or 6 employees hired on or after July 1, 2010. The remaining constitutional offices had no new employees on or after that date. Those 5 or 6 employees will have to pay out of pocket for the month of July since the new legislation cannot be made retroactive.

The Ordinance was adopted by the following vote:

VOTE: 7-0
AYE: Campbell, Gilstrap, Jones, Luther, Miller, Rawley,
and Shanks (7)
NAY: None (0)
ABSENT: Saunders and Tomer (2).

COMMUNICATIONS

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

ROLL CALL

Dr. Miller asked for an update on the status of the City's dams. Mr. King advised he would provide a recommendation during the August 17 Council meeting. Dr. Miller reported he had visited Windsbach, Germany recently and had an opportunity to meet City Council Member Norman Blevins. Mr. Blevins is scheduled to visit Danville and will attend the Council meeting on August 3.

Mr. Shanks reminded residents, who live in and around the Averett College pilot project area, that Gamewood has recently mailed out a survey concerning a proposed nfiber network. He encouraged those who had received the survey to go to Gamewood's site to compare the cost of the services they presently have to the nfiber network proposed by the City through Gamewood.

Mr. Luther asked City Manager King to remind City employees that they are the face of the City. He said the City has great employees, but there is always room for improvement in providing good customer service. Mr. King agreed to do so.

The Meeting adjourned at 7:45 P.M.

APPROVED:

July 20, 2010

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MAYOR

ATTEST:

CLERK