

The Regular October 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, Deputy City Manager David A. Parrish, City Attorney W. Clarke Whitfield Jr., and City Clerk Annette Y. Crane.

Department/Division Directors present were Transportation Services Director Marc Adelman, Emergency Services Director Buster Brown, Finance Director Barbara Dameron, Fire Chief David Eagle, Human Services Director Gwendolyn Edwards, Interim Community Development/Planning Director Kenny Gillie, Economic Development Director Jeremy Stratton, Budget Director Cynthia Thomasson and Economic Development Consultant Linwood Wright.

Mayor Saunders presided.

#### **INVOCATION AND PLEDGE TO THE FLAG**

Council Member Campbell offered the invocation. Lane Stanfield, a member of Dry Fork Boys Scout Troop #377, led the Pledge of Allegiance to the Flag.

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

Mayor Saunders read a Certificate proclaiming the month of October as "*National Walk to School Month.*" He presented the proclamation to Get Fit Dan River Regional Program Director Stephanie Ferrugia and Blanch Waller, Program Manager for Danville Public Schools Safe Routes to School Program.

Ms. Ferrugia thanked Mayor Saunders for the honor. She said *National Walk to School Day* was celebrated in Danville on Wednesday and two thousand students had taken part in various forms of walking activities. She presented Mayor Saunders with a small gift and distributed walking calibrators to remaining Council and staff members.

Rev. Bruce Wilson appeared to urge everyone to take part in a community reading of *Switch: How to Change Things When Change is Hard.* The reading is a collaborative effort of the Danville Regional Foundation, Riverview Rotary and Averett University. He informed Council that 550 had signed up to take part in the community breakfast on October 26 at the Institute. Dan Heath, one of the book's authors will be present for the event. Rev. Wilson said the idea for the Switch was the community needed a new way to think about itself. It is believed the Switch will give the area a new language to help in discussions about changes and possibilities in the community.

Rev. Wilson said he had felt for some time the city had struggled with two self-defeating patterns -- a general pessimism, a sense that in other places things were going great, but in Danville things would never be but so good. Secondly, Rev. Wilson felt there was a hunger for new ideas. Many things have changed in Danville and a new economic reality has emerged that does not involve textiles and tobacco. That world is finished. Switch addresses new transforming ideas with practical suggestions for energizing creative decision-making and offers motivation that can inspire positive change.

Rev. Wilson challenged the city's leaders to pave the way for ideas to emerge and thrive by creating forums for young people and give them a chance to speak about what they want and what they need and then do what they say.

Rev. Wilson said he would join an effort to raise funds for a modern sculpture or fountain to be placed in the Community Market area or somewhere to celebrate that Danville has citizens full of vision and hope.

Mayor Saunders thanked Rev. Wilson for his comments and support. He said Danville was a progressive city, was on the move and it would be successful in its efforts to revitalize the City.

#### **COMMUNICATIONS FROM VISITORS**

Rev. Derrick Mercer, Rev. Thomas Brooks and ten (10) other members of the Danville Ministerial Alliance appeared to urge Council to change the policy on payment of utility bills. Rev. Brooks stated he was Chairman of the Social Concerns Committee of the Alliance and asked Council to consider the following: a) at least three (3) 30-day extensions in a twelve-month period so that people on fixed incomes, retirement income and those receiving social security checks or social security disability checks who only get income every thirty days will have an opportunity to set up their utility bill until the next pay period, and b) that City leaders not disconnect utility services of any citizen of Danville and Pittsylvania County who have been identified as elderly, disabled and those with medical needs and concerns and special emergency circumstances.

Rev. Brooks said when leaders are compassionate for those who are poverty-stricken or poor, then and only then could Danville could be considered a world-class city.

#### **MINUTES**

Upon Motion by Council Member Rawley and second by Council Member Campbell, Minutes of the September 21, 2010 Regular Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

#### **AUTHORIZE ISSUANCE \$3,300,000 GOB-SOCIAL SERVICES & COURTS & JAIL**

Upon Motion by Vice Mayor Luther and second by Council Member Miller, Ordinance No. 2010-09.06 presented by its First Reading on September 21, 2010 authorizing the issuance of General Obligation Bonds of the City of Danville, Virginia, in the maximum principal amount of \$3,300,000 to refinance certain outstanding lease obligations of the City incurred in connection with its Social Services Building and Courts and Jail Complex was adopted by the following vote:

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

**BUDGET ADOPTION - FY 2011 - VIRGINIA WIRELESS E911 SAFETY GRANT**

Upon Motion by Council Member Jones and second by Council Member Gilstrap, Ordinance No. 2010-09.08 presented by its First Reading on September 21, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance to provide for a grant in the amount of \$49,967 from the Virginia Wireless E-911 Services Board Public Safety Answering Point Grant was adopted by the following vote:

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

**BUDGET ADOPTION-FY 2011-W. W. MOORE DETENTION HOME SERVICES**

Upon Motion by Council Member Campbell and second by Council Member Rawley, Ordinance No. 2010-09.09 presented by its First Reading on September 21, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance for a grant from the Department of Juvenile Justice in the amount of \$86,456 and a local share of \$26,324 for a total appropriation of \$112,780 to provide for the Electronic Monitoring and Outreach Detention Programs at the W. W. Moore Jr. Detention Home and appropriating same was adopted by the following vote:

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

**APPOINTMENTS**

Vice Mayor Luther moved adoption of the following Resolutions:

**Resolution No. 2010-10.01** appointing Constance V. Henderson as a Member of the Danville Redevelopment and Housing Authority Board of Commissioners.

**Resolution No. 2010-10.02** reappointing Cecil Bridgeforth as a Member of the Danville Redevelopment and Housing Authority Board of Commissioners.

**Resolution No. 2010-10.03** reappointing P. Niles Daly, Jr. as a Member of the Industrial Development Authority.

**Resolution No. 2010-10.04** reappointing Richard L. Turner as a Member of the Industrial Development Authority.

**Resolution No. 2010-10.05** appointing Shirley Day Primiano as a Member of the Industrial Development Authority.

**Resolution No. 2010-10.06** appointing Verna J. Graham as the Citizen Member of the West Piedmont Planning District Commission.

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-SPECIAL USE PERMIT-DAYCARE-2135 SOUTH BOSTON ROAD**

Mayor Saunders opened the floor for a Public Hearing to consider a request for a Special Use Permit to operate a child daycare center at 2135 South Boston Road. Notice of the Public Hearing was published in the Danville Register and Bee on September 23 and 30, 2010. No one present desired to be heard and the Public Hearing was closed.

Council Member Shanks moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-10.01

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR THE OPERATION OF A DAY CARE CENTER (CHILD) SUBJECT TO CONDITIONS IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 6, OF CHAPTER 41, OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 2135 SOUTH BOSTON ROAD.

The Motion was seconded by Council Member Rawley 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 & REZONE 1.19 AC. ON GARDEN GROVE STREET**

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan and to rezone Parcel Number 60267 containing 1.19 acres located on the northern corner of West Main and Garden Grove Streets. The applicant is proposing to construct a Dollar General store at the site. Notice of the Public Hearing was published in the Danville Register and Bee on September 23 and 30, 2010. Par V Development Representative Layne Fuller appeared to answer questions from citizens or Council Members.

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

Council Member Shanks moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-10.02

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM PUBLIC AND SEMI-PUBLIC TO COMMUNITY SERVICE, AND REZONING FROM M-R, MULTI-FAMILY RESIDENTIAL, TO HR-C, HIGHWAY RETAIL COMMERCIAL DISTRICT, PARCEL NUMBER 60267 (1.19 ACRES) LOCATED ON THE NORTHERN CORNER OF WEST MAIN STREET AND GARDEN GROVE STREET.

Council Member Rawley seconded the Motion.

Vice Mayor Luther sated there had been one opposition to placing a Dollar General Store at the site. The individual had expressed concern about trucks bringing junk through the neighborhood on the way to Don's on Ferry Road. Planning Director Kenny Gillie said there had been no additional complaints about the traffic. He said traffic would be monitored through the Police Department to see if there were any issues that would lead them to believe there was a serious problem there.

Council Member Rawley said he would like for someone to take a look at the area because a driver coming from the south headed north could be tempted to cut through the area in question.

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

**PUBLIC HEARING-AMEND YEAR 2020 LAND USE PLAN & REZONE ON TWIN OAKS LANE**

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan and to rezone parcel no. 75924 containing 0.47 acres located on the northern point of Twin Oaks Lane. Notice of the Public Hearing was published in the Danville Register and Bee on September 23 and 30, 2010. No one present desired to be heard and the Public Hearing was closed.

In response to Vice Mayor Luther, Planning Director Gillie advised the applicant was seeking to rezone to allow for the operation of a cab service at the location. Mr. Gillie said the property was vacant except for a detached accessory building that had been installed in violation of City Codes. When the property was purchased in 1992, a single-family dwelling was on the property. Mr. Gillie said the owners were notified the structure had been condemned and various improvements were necessary before the property could be declared safe for occupancy. A permit to demolish the existing property was issued in August 2004 and in October 2004, the owners applied for a variance to place a modular home on the property, but no public water and sewer was available. The variance was granted, but after a year of no activity, the variance expired. The applicant recently placed an accessory building on the site without proper zoning approval and building permits. The building was to be used as office space for a cab company.

Mr. Gillie further informed Council a violation letter was sent in July 2010 informing the owners that an accessory building could not be placed on the property without a principal structure. During its September 13 meeting, the Planning Commission voted to recommend denial of the request.

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-10.07

A RESOLUTION MAINTAINING THE YEAR 2020 LAND USE PLAN AS SUBURBAN SINGLE FAMILY, AND THE ZONING AS S-R, SUBURBAN RESIDENTIAL DISTRICT, FOR PARCEL NUMBER 75924 (0.47 ACRES) LOCATED ON THE NORTHERN POINT OF TWIN OAKS LANE.

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 YEAR 2020 LAND USE PLAN & REZONE 2.64 ACRES ON BROADNAX STREET**

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan and to rezone parcel no. 75839 containing 2.64 acres located on the South side of Broadnax Street. Notice of the Public Hearing was published in the Danville Register and Bee on September 23 and 30, 2010. Applicant Edgar Love appeared to answer questions from citizens and Council Members. No one present desired to be heard and the Public Hearing was closed.

Council Member Jones moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-10.04

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM URBAN SINGLE FAMILY TO COMMUNITY SERVICE, AND REZONING FROM OT-R, OLD TOWN RESIDENTIAL, TO N-C, NEIGHBORHOOD COMMERCIAL, PARCEL NUMBER 75839 (2.64 ACRES) LOCATED ON THE SOUTH SIDE OF BROADNAX STREET.

The Motion was seconded by Council Member Rawley 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 YEAR 2020 LAND USE PLAN & REZONE 0.23 ACRES ON BROADNAX STREET**

Mayor Saunders opened the floor for a Public Hearing to consider a request to amend the Year 2020 Land Use Plan and to rezone parcel no. 75841 containing 0.23 acres located on the South side of Broadnax Street. Notice of the Public Hearing was published in the Danville Register and Bee on September 23 and 30, 2010. No one present desired to be heard and the Public Hearing was closed.

Council Member Campbell moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-10.05

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM URBAN SINGLE FAMILY TO COMMUNITY SERVICE, AND REZONING FROM OT-R, OLD TOWN RESIEDNTIAL, TO N-C, NEIGHBORHOOD COMMERCIAL DISTRICT, PARCEL NUMBER 75841 (0.23 ACRES) LOCATED ON THE SOUTH SIDE OF BROADNAX STREET.

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

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

**APPROVE ISSUE, SALE AND AWARD OF GENERAL OBLIGATION REFUNDING BONDS - \$13,800,000**

Council Member Rawley moved adoption of an Ordinance entitled:

RESOLUTION NO. 2010-10.08

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS IN A MAXIMUM AGGREGATE PRINCIPAL

AMOUNT OF \$13,800,000 OF THE CITY OF DANVILLE, VIRGINIA, PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF AND PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS AND LEASE OBLIGATIONS OF THE CITY.

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).

**BUDGET AMENDMENT - FY 2011 - VICTIM WITNESS PROGRAM GRANT**

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

ORDINANCE NO. 2010-10.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$50,363 AND APPROPRIATING SAME

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

**COMMUNICATIONS**

City Manager King announced that October was National Crime Prevention Month and the Coalition for a Safe Danville would be meeting on Tuesday, October 26, 3 p.m. to 5 p.m., at the Institute for Advanced Learning and Research.

**ROLL CALL**

Rev. Campbell expressed concern that there were several organizations that had closed their doors due to lack of funding. He asked that organizations such as these be taken into account when organizations are considering how their funds will be disbursed.

Mr. Gilstrap, Mr. Rawley and Mr. Shanks thanked Rev. Wilson and the Ministerial Alliance for offering a challenge to Council. Mr. Gilstrap stated he looked forward to working to resolve some of these problems.

Vice Mayor Luther stated he was pleased the School System had joined the get fit program and Dr. Miller agreed it was good to get the City's youth moving again.

Mr. Rawley thanked Dr. Greg Howard for restoring the old Schoolfield Fire Station. Mr. Rawley advised Dr. Howard had renovated the facility and will be conducting his practice there.

Mayor Saunders reported he had received many comments from citizens regarding their utility bills. He said he had assured these citizens that proposals were being looking into by the administration and the Danville Utility Commission.

The Meeting adjourned at 8:05 P.M.

APPROVED:

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MAYOR

ATTEST:

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CLERK