

The Second Regular November 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, and Adam J. Tomer (8). Fred O. Shanks III was absent (1).

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 Police Chief Philip Broadfoot, Finance Director Barbara Dameron, City Engineer Kent Shelton, Water and Gas Director Jim Harr, Housing and Development Director Dianne Morris, Economic Development Director Jeremy Stratton, and Budget Director Cynthia Thomasson.

Mayor Saunders presided.

INVOCATION AND PLEDGE TO THE FLAG

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

COMMUNICATIONS FROM VISITORS

Danville Ministerial Alliance Member Rev. Derrick Mercer appeared to thank City Council, City Manager Joe King, and Police Chief Philip Broadfoot for the two successful block parties held recently. Rev. Mercer said another was being planning.

MINUTES

Upon Motion by Vice Mayor Luther and second by Council Member Rawley, Minutes of the November 4, 2010 Regular Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

PUBLIC HEARING-AMENDMENTS TO 2011 BUDGET APPROPRIATION ORDINANCE

Mayor Saunders announced the following budget amendments (items 2-8) had been previously discussed by City Council and introduced for First Reading and would be further considered by City Council in Public Hearing. After the Public Hearing, there will be no separate discussion on these items and they will be enacted by one motion. If a citizen or Council Member desires discussion on any item, it will be removed from the consent process and considered separately.

Mayor Saunders opened the floor for a Public Hearing to consider amendments to the FY 2011 Budget Appropriation Ordinance. Notice of the Public Hearing was published in the Danville Register and

Bee on November 2, 2010. No one present desired to be heard and the Public Hearing was closed.

Vice Mayor Luther moved adoption of the following:

Ordinance No. 2010-11.03 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by increasing revenues from the Tobacco Region Opportunity fund for economic development incentive packages for an appropriation in the amount of \$1,600,000 and appropriating same.

Ordinance No. 2010-11.04 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance to anticipate grant funds from the Commonwealth of Virginia for Litter Control and Recycling efforts in the amount of \$9,657 and appropriating same.

Ordinance No. 2010-11.05 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance for projects to be undertaken within the City and to be financed anticipating revenues from Virginia Department of Transportation (VDOT) Revenue Sharing Program funds in the amount of \$368,723.

Ordinance No. 2010-11.06 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by anticipating revenues in the amount of \$35,609 from the operation of an Electronic Monitoring Program and \$33,758 from the operation of an Outreach Detention Program for Pittsylvania County for a total appropriation of \$69,367.

Ordinance No. 2010-11.07 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by increasing revenue from the Virginia Department of Motor Vehicles Highway Safety Selective Enforcement Grant Program in the amount of \$20,508 and appropriating same.

Ordinance No. 2010-11.08 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by increasing revenues to anticipate the receipt of funds from the United States Department of Justice, Bureau of Justice Assistance, Fiscal Year 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$38,453.

Ordinance No. 2010-11.09 presented by its First Reading on November 4, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by increasing revenues from the Virginia Department of Motor Vehicles Highway Safety Regional Crash Investigative Team Grant Program in the amount of \$25,400 to be used for advanced training for members of the Regional Crash Team.

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

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

ISSUE \$15,000,000 IN REVENUE BONDS THROUGH THE IDA

STATEMENT OF CONFLICT OF INTEREST

I, Alonzo L. Jones, do hereby state that I have a conflict of interest regarding the resolution authorizing the issuance of up to \$15,000,000 in revenue bonds through the Industrial Development Authority for the benefit of Averett University listed as agenda item VIII (A). 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

Witness my signature this 16th day of November 2010.

s/Alonzo L. Jones

STATEMENT OF CONFLICT OF INTEREST

I, Albert K. Rawley Jr., do hereby state that I have a conflict of interest regarding the resolution authorizing the issuance of up to \$15,000,000 in revenue bonds through the Industrial Development Authority for the benefit of Averett University listed as agenda item VIII (A). 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

Witness my signature this 16th day of November 2010.

s/Albert K. Rawley Jr.

Council Member Gilstrap moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.06

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$15,000,000 IN REVENUE BONDS THROUGH THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE BENEFIT OF AVERETT UNIVERSITY.

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

VOTE: 6-0-1
AYE: Campbell, Gilstrap, Luther, Miller, Saunders, and Tomer (6)
NAY: None (0)

ABSENT: Shanks (1)
ABSTAIN: Jones and Rawley (2).

APPROVE SUPPORT AGREEMENT WITH INDUSTRIAL DEVELOPMENT AUTHORITY

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.07

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING A SUPPORT AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA.

Council Member Gilstrap seconded the Motion.

Council Members expressed concern about paying money back should the company not be successful. Economic Development Director Jeremy Stratton stated the company have been vetted and had a great chance of succeeding. In the event the company failed, there would be another company waiting to fill the space very quickly.

Mr. Tomer stated the project was a very exciting one, but expressed concern about the company defaulting. Finance Director Barbara Dameron and Mr. Stratton advised the company had raised approximately \$30,000,000 towards the project to date.

Mr. Stratton stated a Performance Agreement was currently being drafted that sets out what the company must achieve in a specific amount of time. Mr. Gilstrap stated he would support the agreement because of the great potential for jobs the company would provide.

Vice Mayor Luther expressed concern the County was not involved in this financing. City Manager King advised the County was currently in litigation and was unable to do so.

The Resolution was adopted by the following vote:

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

APPLY TO TOBACCO INDEMNIFICATION & REVITALIZATION COMMISSION

Council Member Jones moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.08

A RESOLUTION AUTHORIZING THE CITY OF DANVILLE TO SUBMIT AN APPLICATION TO THE VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY

REVITALIZATION COMMISSION FOR AN AWARD UNDER THEIR SOUTHSIDE ECONOMIC DEVELOPMENT GRANT PROGRAM.

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

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

APPLY TO TOBACCO COMMISSION - SPECIAL PROJECTS - MEGA SITE

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.09

A RESOLUTION AUTHORIZING THE CITY OF DANVILLE TO SUBMIT AN APPLICATION TO THE VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION FOR AN AWARD UNDER THEIR SPECIAL PROJECTS MEGA SITE GRANT PROGRAM.

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

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

COMMUNICATIONS

City Manager King reported on the water line break that occurred on Riverside Drive early yesterday afternoon. Mr. King advised that water service had been restored to Riverside Drive, but residents in the surrounding area had been advised to boil their water until results of the bacteriological report were in.

Mr. King reported on the chemical spill that occurred just before noon this morning at the intersection of Routes 58 and 29. He said the pesticide, magnesium phosphide, had been spilled from a pickup truck and the chemical when mixed with water emitted a toxic gas. The accident happened during a rain storm. HazMat crews had isolated the area and residents had been evacuated to Glenwood School. Mr. King said by late afternoon residents had been allowed to return to their homes.

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

ROLL CALL

Rev. Campbell asked city staff to investigate the possibility of moving Councilmanic elections from May to the November general elections. Mr. King agreed to do so.

Council Members commended all city workers who were on the job during the water line break and the chemical spill. They praised the employee teamwork that helped to get the situations resolved as quickly as possible.

The Meeting adjourned at 7:45 P.M.

APPROVED:

MAYOR

ATTEST:

CLERK