

The 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, 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, Police Chief Philip Broadfoot, Finance Director Barbara Dameron, Public Works Director Ric Drazenovich, Human Services Director Gwendolyn Edwards, Broadband Network Manager Jason Grey, Planning Director Kenny Gillie, Information Technology Director Inez Harville, City Engineer Kent Shelton, Utilities Director RB Sloan, Economic Development Director Jeremy Stratton, and Budget Director Cynthia Thomasson.

Mayor Saunders presided.

INVOCATION AND PLEDGE TO THE FLAG

Vice Mayor Luther offered the invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders presented a certificate to Nurse Practitioner Marilyn Grossman proclaiming the week of November 7-13, 2010 as *Nurse Practitioner Week*.

Ms. Grossman thanked Mayor Saunders for the honor and acknowledged the presence of fellow Nurse Practitioners Kim Grossman, Kay Shelton, and Danielle Merricks.

Council Members Luther and Miller commended the work of nurse practitioners. Dr. Miller said as the age of the population increases, the nurse practitioner's role becomes more and more valuable. Mr. Luther commented that nurse practitioners were not only good at what they did, but were lifesavers and stood behind what they did. He encouraged everyone to give them a pat on the back, most especially during Nurse Practitioner Week.

Danville-Pittsylvania Community Services Board (DPCSB) member Dan Angell presented the organization's annual report to Council. Mr. Angell acknowledged the presence of (DPCSB) Executive Director Jim Bebeau and Board Member Mary Lee White.

Mr. Angell reviewed the 2010 annual report for year ending June 30, 2010. The organization's theme was "Setting the Foundation for a Better Tomorrow." He reported the organization served 8,309

residents of the City and Pittsylvania County and completed the conversion of one residential group home for consumers to an intermediate care facility to provide for medical needs of the elderly. The staff designed and implemented an electronic healthcare record that provides efficient documentation of services provided by the agency. Mr. Angell concluded his report by stating it was an honor to serve on the Board and it was a privilege to present the report to City Council.

Mayor Saunders thanked Mr. Angell for the report and commended the organization for the excellent services provided for area citizens.

Danville resident and "Moving Danville Forward" blogger Lee Vogler appeared to ask if the administration would consider reducing street lighting in certain areas of the city. Mr. Vogler cited Routes 58 east and west that contained long stretches of highway with little traffic during the night, yet the street lights remain lit all night. He said in conducting research on the issue, he had found there were many cities across the nation that did so, thereby saving money. Mr. Vogler said he had spoken with a Santa Rosa, California elected official who informed him that in the first year alone, over \$100,000 had been saved by turning off the lights. Mr. Vogler said he felt this possibility needed investigating in order to determine what areas of the city could be without street lighting at night, but said it should not be done if it in any way affected public safety.

City Manager King provided Mr. Vogler with a report he had prepared for City Council on that very subject, which would be distributed in the Work Session to follow. Mr. King said there were potential savings and they were itemized in the report.

Mr. Luther thanked Mr. Vogler and said Council was always looking for ways to move Danville forward. Mr. Luther said he had received comments from individuals who reported there were areas in the City that were unsafe due to the lacking of lighting.

Mr. Jones asked about turning off traffic lights. Mr. King advised some traffic lights had been discontinued, but he would look in the possibility of doing so in other areas of the City.

Dr. Miller mentioned there was excessive lighting around some shopping areas in Danville, most notably a shopping center located on South Main Street near his residence.

MINUTES

Upon Motion by Council Member Campbell and second by Council Member Tomer, Minutes of the October 19, 2010 Regular Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION-FY 2011-COMPREHENSIVE SERVICES ACT FUNDS

Mayor Saunders opened the floor for a Public Hearing to consider amending the Fiscal Year 2011 Budget Appropriation Ordinance by appropriating \$5.2 million to providing for funding for the Comprehensive Services Act program. Notice of the Public Hearing was published in the Danville Register and Bee on October 25, 2010. No one present desired to be heard and the Public Hearing was closed.

Upon Motion by Council Member Rawley and second by Council Member Jones, Ordinance No. 2010-10.08 presented by its First Reading on October 19, 2010 amending the Fiscal Year 2011 Budget Appropriation Ordinance by appropriating Comprehensive Services Act funds and providing local matching funds for a total amount of \$5,200,000 was adopted by the following vote:

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

PUBLIC HEARING-TRANSPORTATION ENHANCEMENT PROGRAM

Mayor Saunders opened the floor for a Public Hearing to consider authorizing the City Manager to submit an application to the Virginia Department of Transportation (VDOT) for funding for continuing improvements at the Crossing at the Dan. Notice of the Public Hearing was published in the Danville Register and Bee on October 21 and 28, 2010. No one present desired to be heard and the Public Hearing was closed.

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.01

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO OBTAIN FUNDING UNDER THE VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM.

The Motion was seconded by Council Member Jones 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 FOR 2852 RIVERSIDE DRIVE

Mayor Saunders opened the floor for a Public Hearing to consider a request for a Special Use Permit to operate a recreational facility at 2852 Riverside Drive. Notice of the Public Hearing was published in the Danville Register and Bee on October 21 and

28, 2010. No one present desired to be heard and the Public Hearing was closed.

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.02

A RESOLUTION DENYING A SPECIAL USE PERMIT TO OPERATE AN INDOOR COMMERCIAL RECREATION FACILITY IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 4, OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 2852 RIVERSIDE DRIVE.

Council Member Campbell seconded the Motion.

In response to questions from Council Members, Interim Community Development/Planning Director Kenny Gillie advised the applicant, Alvin Tomes, was requesting a Special Use Permit to operate an internet café with gaming options to include internet access, media player, email, fun games and sweepstakes games. During its September 13, 2010 meeting, the Planning Commission had tabled the item in order to allow the applicant adequate time to discuss the legalities of such an operation with law enforcement.

Mr. Gillie reported that Danville Police Major Burke had informed staff the operation was the same as those closed by law enforcement previously for illegal gambling. Major Burke had also reported the operation would include slot machine-type games.

Mr. Gillie reported the applicant's business plan was very sketchy and did not include hours of operation nor did it contain information detailing what steps would be taken to comply with Virginia Code requirements. He said if these conditions could not be met, the business would be considered illegal.

In response to Vice Mayor Luther, Mr. Gillie said the Planning Commission was not responsible for ensuring if a business was operating legally or not. In this case, the Planning Commission had recommended denial of the permit since retail operations located within the applicant's proposed business location would be considered legal nonconforming and would not meet current parking requirements for the establishment.

Vice Mayor Luther asked City Attorney Whitfield to investigate the possibility of Danville having its own laws concerning internet cafes. Mr. Luther said this type of establishment was popping up all over the place and were similar to the check-cashing schemes that were prevalent at one time. Mr. Whitfield agreed to do so.

The Resolution was adopted by the following vote:

VOTE: 9-0
AYE: Campbell, Gilstrap, Jones, Luther, Miller, Rawley, Saunders, Shanks, and Tomer (9)

NAY: None (0).

EXECUTION OF SOLAR ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER

Council Member Jones moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-11.01

AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF A SOLAR ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING SOLAR ELECTRIC GENERATION.

The Motion was seconded by Council Member Shanks 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 TRANSFER OF FUNDS TO FIBER TO THE HOME PILOT PROJECT

Council Member Gilstrap moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.03

A RESOLUTION AUTHORIZING AND APPROVING A TRANSFER OF FUNDS IN THE AMOUNT OF \$250,000 FROM THE TELECOMMUNICATIONS CAPITAL MAINTENANCE ACCOUNT TO THE FIBER TO THE HOME PILOT PROJECT.

Council Member Rawley seconded the Motion.

During the August 17 Work Session, Council agreed not to include the original Fiber to the Home project in the 2011 bond package due to a potential financial risk. Following that meeting, the Utilities staff downsized the project and based it on a pay-as-you-go plan. Funding would come from each fiscal year's budget.

Mr. Tomer felt it was a fantastic project, but expressed discomfort at spending more money. Mr. Gilstrap said the project was a small investment towards moving Danville forward and would make Danville more attractive for new business and industry. He said the project would be a revenue-producer, as well. Mayor Saunders said the 2012 budget would be a very touch one and it was uncertain when the revenue realized from the project would show up.

It was the consensus among Council Members the project should not go forward at this time.

The Motion **failed** by the following vote:

VOTE: 4-5

AYE: Gilstrap, Luther, Rawley, and Shanks (4)
NAY: Campbell, Jones, Miller, Saunders, and Tomer (5).

BUDGET ADOPTION-FY 2011-INCREASE INFORMATION TECH POSITIONS TO 19

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-11.02

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE BY INCREASING THE TOTAL NUMBER OF AUTHORIZED POSITIONS FOR INFORMATION TECHNOLOGY TO 19.

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

VOTE: 8-1
AYE: Campbell, Gilstrap, Jones, Luther, Miller, Rawley, Saunders, and Shanks, (8)
NAY: Tomer (1).

AUTHORIZE IDA TO ISSUE \$5,500,000 IN REVENUE BONDS

Council Member Miller moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.04

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF DANVILLE, VIRGINIA TO ISSUE REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000.

The Motion was seconded by Council Member Jones 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-TOBACCO REGION OPPORTUNITY FUND

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

ORDINANCE NO. 2010-11.03

AN ORDINANCE 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

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

BUDGET AMENDMENT-FY 2011-LITTER CONTROL & RECYCLING GRANT

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

ORDINANCE NO. 2010-11.04

AN ORDINANCE 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

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

BUDGET AMENDMENT-FY 2011-VDOT REVENUE SHARING FUNDS

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

ORDINANCE NO. 2010-11.05

AN ORDINANCE 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

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

BUDGET AMENDMENT-FY 2011-DETENTION HOME PROGRAMS FUNDS

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

ORDINANCE NO. 2011-11.06

AN ORDINANCE 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 AND APPROPRIATING THE SAME

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

BUDGET AMENDMENT-FY 2011-DMV HIGHWAY SAFETY SELECTIVE ENFORCEMENT GRANT

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

ORDINANCE NO. 2011-11.07

AN ORDINANCE 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

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

BUDGET AMENDMENT-FY 2011-EDWARD BYRNE MEMORIAL JUSTICE (JAG) GRANT

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

ORDINANCE NO. 2010-11.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE 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

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

BUDGET AMENDMENT-FY 2011-DMV HIGHWAY SAFETY REGIONAL CRASH INVESTIGATIVE TEAM GRANT

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

ORDINANCE NO. 2010-11.09

AN ORDINANCE 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

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

AUTHORIZE WARNING BUOYS IN DAMS ON THE DAN RIVER

Council Member Jones moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-11.05

A RESOLUTION AUTHORIZING THE PLACEMENT OF WARNING BUOYS IN THE DAN RIVER AT BRANTLEY DAM, UNION STREET BRIDGE DAM, WHITE MILL DAM AND INDUSTRIAL WATER INTAKE DAM.

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

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

COMMUNICATIONS

City Manager King reported the City had received a Leadership in Government award from the Southern Piedmont Technology Council. He presented the award to Information Technology Director Inez Harville.

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

ROLL CALL

Council Member Campbell and Mayor Saunders expressed appreciation to all City employees for the work they do. Mayor Saunders asked if something could be done about the high cost of insurance premiums for City retirees.

Clerk's Note: An Abstract of Votes for the November 2, 2010 General Election for Member of the House of Representatives is attached to and made a part of these Minutes.

The Meeting adjourned at 8:29 P.M.

APPROVED:

MAYOR

ATTEST:

CLERK