

The regular May Meeting of City Council was held on May 3, 2011 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 Susan M. DeMasi.

Other Staff Members present were: Finance Director Barbara Dameron, Budget Director Cynthia Thomasson, Fire Chief David Eagle, Director of Community Development Earl Reynolds, Housing & Development Director Diane Morris, Director of Economic Development Jeremy Stratton and Planning Director Kenny Gillie.

Also present were Superintendent of Schools Dr. Sue Davis and Assistant Superintendent of Schools Dr. Kathy Osborne.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor T. David Luther offered the Invocation. The Pledge of Allegiance to the Flag followed.

PUBLIC HEARINGS ON PROPOSED FY 2012 BUDGET

Mayor Saunders opened the floor for Public Input on the Proposed FY 2012 Budget.

Mayor Saunders recognized Ms. Phyllis Marshall who represented the Comfort Inn and Suites on the issue of budget cuts to Parks and Recreation, specifically with respect to Tourism. Ms. Marshall asked Council to reconsider any cuts to tourism due to the long term impact they will have on the City. Ms. Marshall also acknowledged the hard work and dedication of Rosalee Maxwell in her efforts to market Danville to promote tourism in our area.

Mayor Saunders then opened the floor for a Public Hearing to consider Approving the Budget of the School Board of the City of Danville for Fiscal Year Ending June 30, 2012. Notice of the Public Hearing was published in the Danville Register and Bee on May 25, 2011.

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

Upon **Motion** by Council Member Jones and **second** by Council Member Campbell, a Resolution entitled:

RESOLUTION NO. 2011-05.01

A RESOLUTION APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE FOR FISCAL YEAR ENDING JUNE 30, 2012

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

MINUTES

Upon **Motion** by Council Member Miller and **second** by Council Member Rawley, Minutes of the Regular Council Meeting held on April 19, 2011 were approved as presented. Draft copies had been distributed prior to the Meeting.

OLD BUSINESS

BUDGET AMENDMENT – FY 2011 – VIRGINIA ECONOMIC DEVELOPMENT PROGRAM

Vice Mayor Luther **moved** adoption of an Ordinance:

ORDINANCE NO. 2011-04.01

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM VIRGINIA ECONOMIC DEVELOPMENT PROGRAM (VEDP) IN THE AMOUNT OF \$500,000 FOR ENGINEERING ON THE MEGA PARK AND APPROPRIATING SAME.

The Motion was **seconded** by Council Member Tomer 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 –VIRGINIA WIRELESS E-911 SERVICES BOARD

Vice Mayor Luther **moved** adoption of an Ordinance:

ORDINANCE NO. 2011-04.02

AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES TO ANTICIPATE THE RECEIPT OF FUNDS IN THE AMOUNT OF \$190,717 FROM THE VIRGINIA WIRELESS E-911 SERVICES BOARD, PUBLIC SAFETY ANSWERING POINT AND LOCAL FUNDING IN THE AMOUNT OF \$326 FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$191,043 AND APPROPRIATING SAME.

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

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

NEW BUSINESS

PUBLIC HEARING – REZONE FROM TO-C TO N-C, - AT 136 FRANKLIN TURNPIKE

Mayor Saunders opened the floor for a Public Hearing to consider Rezoning 136 Franklin Turnpike from TO-C to N-C. Notice of the Public Hearing was published in the Danville Register and Bee on April 19 and April 26, 2011.

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

Council Member Campbell **moved** adoption of an Ordinance entitled:

ORDINANCE 2011-05.01

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM PUBLIC AND SEMI-PUBLIC AREAS TO COMMUNITY SERVICE AND REZONING FROM TO-C, TRANSITIONAL OFFICE COMMERCIAL TO N-C, NEIGHBORHOOD COMMERCIAL DISTRICT, 1.48 ACRES AT 136 FRANKLIN TURNPIKE.

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)

CONSIDERATION – CDBG AND HOME INVESTMENT PARTNERSHIP PROGRAMS - FY 2012 ONE YEAR ACTION PLAN

Mayor Saunders opened the floor for a Public Hearing to consider the CDBG and Home Investment Partnership Programs FY 2012 One-Year Action Plan.

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

Council Member Gilstrap **moved** adoption of a Resolution entitled:

RESOLUTION NO. 2011-05.02

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR ACTION PLAN.

The Motion was **seconded** by Council Member Jones.

Mr. Shanks noted that he hoped that the City would try to target the neighborhood just south of the central business district, including Green Street, Pine and Chestnut Street areas. It is critical that those areas support the downtown and the downtown supports them.

Mr. Rawley questioned whether the City was confident in obtaining the funds from the loan repayments. Director of Community Development Earl Reynolds responded to Council's questions.

The Resolution was carried by the following vote:

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

CONSIDERATION – EXEMPTION FROM PROPERTY TAXES FOR FACES OF OUR CHILDREN

Mayor Saunders opened the floor for a Public Hearing to consider a request from Faces of Our Children for Exemption from Local Real Property Taxation. Notice of the Public Hearing was published in the Danville Register and Bee on April 21, 2011.

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

Council Member Miller **moved** adoption of an Ordinance entitled:

ORDINANCE NO. 2011-05.02

AN ORDINANCE TO DESIGNATE FACES OF OUR CHILDREN, INC., AS BEING EXEMPT FROM LOCAL REAL PROPERTY TAXATION.

The Motion was **seconded** by Council Member Gilstrap.

Donald Cash, the founder of Faces of Our Children answered questions from Council regarding the organization and the source of some of its funding. He also explained the purpose of the Faces of Our Children which includes education and outreach with respect to Sickle Cell Disease. Council members also thanked Mr. Cash for coming to Danville and helping to educate people about this disease.

The Ordinance was carried by the following vote:

STATEMENT OF CONFLICT OF INTEREST

I, **Lawrence G. Campbell, Jr.**, do hereby state that I have a conflict of interest regarding the Ordinance designating Faces of Our Children, Inc., as Being Exempt from Local Real Property Taxation listed as Agenda Item IX (C). 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 the 3rd day of May, 2011.

s/Lawrence G. Campbell, Jr.

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

BUDGET AMENDMENT – FY 2011 – TOBACCO COMMISSION GRANT FOR NEXTGEN AERONAUTICS

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

ORDINANCE NO. 2011-05.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE TOBACCO REGION OPPORTUNITY FUND FOR AN ECONOMIC DEVELOPMENT INCENTIVE PACKAGE FOR NEXTGEN AERONAUTICS FOR AN APPROPRIATION IN THE AMOUNT OF \$553,000 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 - FEMA AND DHS ASSISTANCE GRANT TO FIREFIGHTERS– TRAINING PROPS

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

ORDINANCE NO. 2011-05.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY’S 2010 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR TRAINING PROPS AND TRAINING FOR THE DANVILLE/PITTSYLVANIA FIRE TRAINING CENTER IN THE AMOUNT OF \$82,085, AND LOCAL MATCH OF \$10,261 FROM THE GENERAL FUND SUPPORT OF GRANTS AND \$10,261 FROM PITTSYLVANIA COUNTY FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$102,607 AND APPROPRIATING SAME

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

BUDGET AMENDMENT – FY 2011 – J.T. MINNIE MAUDE CHARITABLE TRUST – EQUIPMENT FOR FIRE DEPARTMENT

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

ORDINANCE NO. 2011-05.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE J.T. MINNIE MAUDE CHARITABLE TRUST FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE FIRE DEPARTMENT’S TECHNICAL RESCUE TEAM IN THE AMOUNT OF \$11,494 AND APPROPRIATING SAME

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

BUDGET AMENDMENT – FY 2011 – J.T. MINNIE MAUDE CHARITABLE TRUST – SPARKY FIREDOG COSTUME

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

ORDINANCE NO. 2011-05.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE J.T. MINNIE MAUDE CHARITABLE TRUST TO PROVIDE FUNDS TO PURCHASE A SPARKY FIREDOG COSTUME IN THE AMOUNT OF \$4,800 AND APPROPRIATING SAME

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

CONSIDERATION – REQUIRING RENTAL PROPERTY OWNERS DISCLOSE INFORMATION REGARDING ENERGY EFFICIENCY – WIPP FUNDS

Council Member Campbell **moved** adoption of an Ordinance entitled:

ORDINANCE NO. 2011-05.07

AN ORDINANCE REQUIRING RENTAL PROPERTY OWNERS TO DISCLOSE INFORMATION REGARDING THE ENERGY EFFICIENCY OF ANY RENTAL UNIT WHICH HAS RECEIVED WEATHERIZATION INNOVATION PILOT PROGRAM (WIPP) FUNDS.

The Motion was **seconded** by Council Member Jones.

Mr. Shanks questioned the City Manager and City Attorney regarding the guidelines of the landlord providing information to potential tenants and confidentiality issues. Mayor Saunders also questioned when information might not be available for disclosure. Mr. King and Mr. Whitfield answered Council’s questions with respect to the Program. Mr. Shanks also noted that this is a voluntary program for landlords to participate in.

The Ordinance was carried by the following vote:

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

COMMUNICATIONS

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

ROLL CALL

Council members noted they were disappointed that citizens did not appear to express their opinions at tonight’s meeting and give their input on the proposed budget.

Mr. Shanks also noted the Community Market opens Saturday.

Mr. Gilstrap hoped everyone went out today and supported God’s Storehouse. Mr. Gilstrap also noted it is important to assist others when we can, and hope we will contribute items, goods or monies for the storm victims through several outlets in Danville including God’s Pit Crew and the Red Cross. Saturday the Community Market Opens, as well as Art on the Main, Art on the Lawn and Festival in the Park the following week.

Mr. Jones and Dr. Miller asked that we thank our servicemen and servicewomen for all they do for us.

Mayor Saunders thanked everyone on behalf of the Saunder's family for their condolences for their loss and also asked that we remember the loss of the other 16 soldiers and of the 33 soldiers that were injured. We should thank all military men and women for their service; they give the ultimate to our country.

Mayor Saunders noted that Council did ask people to contact them about the budget, many are doing that, but that coming down to Chambers may not be their preference. Citizens are welcome to come down to Chambers and watch their government at work and feel free to say what they want to say. Mayor Saunders encouraged citizens to continue to write, e mail or speak to Council with their concerns.

The Meeting adjourned at 8:10 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK