

The second regular February Meeting of City Council was held on February 16, 2010 at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, L. G. "Larry" Campbell Jr., T. David Luther, Gary P. Miller, Vice-Mayor T. Wayne Oakes, Albert K. "Buddy" Rawley Jr., Mayor Sherman M. Saunders, Fred O. Shanks III, and Adam J. Tomer (9).

Staff Members present were: City Manager M. Lyle Lacy III, Deputy City Manager Joseph C. King, City Attorney W. Clarke Whitfield Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Emergency Services Director Bernard "Buster" Brown, Finance Director Barbara Dameron, Fire Chief David Eagle, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Housing and Development Director Dianne Morris, Parks, Recreation and Tourism Director Bill Sgrinia and Economic Development Director Jeremy Stratton.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Campbell offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders recognized Human Services Director Gwendolyn Edwards. Ms. Edwards introduced Dr. Lawrence M. Clark, Sr. and his wife, Irene. Dr. Clark, a Danville native, was the first black professor at Florida State University and taught at Virginia and Norfolk State Colleges. He served 21 years as Associate Provost at North Carolina State University. Dr. Clark's collection of West African wood relief depicting notable black leaders in Danville's history was on display at the Danville Public Library today. Dr. Clark stated he had made several trips to West Africa and found a carver who was able to create the reliefs from photographs of the subjects.

Ms. Edwards advised that an exhibit entitled "Leaders in Relief: A Separate Health" is on display at the Danville Science Center. The exhibit provides the history of Winslow Hospital that provided medical care to African Americans in Danville from 1940 until its closing in 1972.

Dr. Clark's one request to Mayor Saunders was that Black History Museum be established in Danville. Mayor Saunders responded that such a project was in the works.

Following remarks from Dr. and Mrs. Clark and their daughter, Debra, Mayor Saunders welcomed them to the meeting and thanked them for sharing the outstanding art collection with the citizens of Danville.

COMMUNICATIONS FROM VISITORS

Pittsylvania County resident Deborah Dix appeared to ask Council to make the region safe for future generations by not allowing uranium mining in the region. Ms. Dix stated uranium mining and milling could have a profound affect on the health of Virginians by contaminating water supplies and could have an adverse effect on the region's economic development efforts. Mayor Saunders welcomed Ms. Dix and thanked her for bringing her concerns to Council.

MINUTES

Upon Motion by Council Member Campbell and second by Council Member Archie, Minutes of the February 2, 2010 Regular Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION FY 2010-CIRCUIT COURT RECORDS PRESERVATION GRANT

Upon Motion by Council Member Shanks and second by Council Member Rawley, Ordinance No. 2010-02.01 presented by its First Reading on February 2, 2010 amending the Fiscal Year 2010 Budget Appropriation Ordinance to provide for a grant from the Virginia Circuit Court Records Preservation Program in the amount of \$14,824 and appropriating same was adopted by the following vote:

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

BUDGET AMENDMENT - FY 2010 - JUVENILE JUSTICE GRANT - W. W. MOORE

Upon Motion by Council Member Rawley and second by Vice-Mayor Oakes, an Ordinance entitled:

ORDINANCE NO. 2010-02.02

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DEPARTMENT OF JUVENILE JUSTICE IN THE AMOUNT OF \$107,733 AND A LOCAL SHARE OF \$26,324, FOR A TOTAL APPROPRIATION OF \$134,057, TO PROVIDE FOR THE ELECTRONIC MONITORING AND OUTREACH DETENTION PROGRAMS AND OTHER CONTRACTED SERVICES FOR THE CITY OF DANVILLE AT THE W. W. MOORE JR. DETENTION HOME AND APPROPRIATING SAME

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

BUDGET AMENDMENT-FY 2010-STATE HOMELAND SECURITY PROGRAM GRANT

Upon Motion by Vice-Mayor Oakes and second by Council Member Shanks, an Ordinance entitled:

ORDINANCE NO. 2010-02.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES TO ANTICIPATE THE RECEIPT OF FUNDS IN THE AMOUNT OF \$26,000 FROM THE STATE HOMELAND SECURITY PROGRAM GRANT FOR CITIZENS PREPAREDNESS PROJECTS

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

BUDGET AMENDMENT-FY 2010-EMERGENCY MEDICAL SERVICES GRANT

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

ORDINANCE NO. 2010-02.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT IN THE AMOUNT OF \$13,292 FROM THE VIRGINIA OFFICE OF EMERGENCY MEDICAL SERVICES, RESCUE SQUAD ASSISTANCE FUND CONSOLIDATED GRANT PROGRAM, AND LOCAL MATCH IN THE AMOUNT OF \$3,323 FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$16,615 AND APPROPRIATING SAME

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

BUDGET AMENDMENT-FY 2010-EMERGENCY MANAGEMENT & HOMELAND SECURITY

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

ORDINANCE NO. 2010-02.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT IN THE AMOUNT OF \$17,856 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY, AND LOCAL MATCH IN THE AMOUNT OF \$1,983, FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$19,839 AND APPROPRIATING SAME

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

BUDGET AMENDMENT-FY 2010-FEDERAL HIGHWAY ADMINISTRATION GRANT

Upon Motion by Council Member Miller and second by Vice-Mayor Oakes, an Ordinance entitled:

ORDINANCE NO. 2010-02.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES TO PROVIDE FOR A GRANT FROM THE FEDERAL HIGHWAY ADMINISTRATION IN THE AMOUNT OF \$88,920 FOR RIVERWALK TRAIL EXTENSION

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

Mr. Rawley stated he had received calls from nearby residents of the trail extension site requesting the trail not be constructed near property lines. Mr. Lacy agreed to look into those concerns.

BUDGET AMENDMENT-FY 2010-VIRGINIA DEPARTMENT OF FORESTRY GRANT

Upon Motion by Vice-Mayor Oakes and second by Council Member Rawley, an Ordinance entitled:

ORDINANCE NO. 2010-02.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF FORESTRY IN THE AMOUNT OF \$65,000 FOR TREE PLANTING, TREE MAINTENANCE, AND RIVERWALK MASTER PLAN UPDATE AND APPROPRIATING SAME

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

SUPPORT AGREEMENT WITH RIFA - BERRY HILL BOND ISSUE

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-02.04

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING A SUPPORT AGREEMENT WITH THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY.

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

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

BUDGET AMENDMENT-FY 2010- DEBT SERVICE RESERVE FUND-MEGA PARK

Upon Motion by Council Member Shanks and second by Vice-Mayor Oakes, an Ordinance entitled:

ORDINANCE NO. 2010-02.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY AUTHORIZING A TRANSFER FROM THE GENERAL FUND BALANCE

TO PROVIDE FUNDS FOR THE DEBT SERVICE RESERVE FUND FOR THE BERRY HILL MEGA PARK BOND ISSUANCE

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

BERRY HILL MEGA PARK-TOBACCO COMMISSION GRANT

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-02.05

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AN ASSIGNMENT AGREEMENT OF FUNDS TO BE RECEIVED FROM THE VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION.

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

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

REIMBURSE EXPENDITURES FOR CAPITAL PROJECTS WITH PROCEEDS OF A BORROWING

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-02.06

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING THE OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR CERTAIN CAPITAL PROJECTS WITH PROCEEDS OF A BORROWING.

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

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

COMMUNICATIONS

City Manager Lacy advised a special work session would be held on Tuesday, March 2 at 5:30 P.M. to receive updates on the Gibbs International White Mill and Danville Science Center projects.

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

ROLL CALL

Rev. Campbell and several Council Members reported they had received many calls from citizens about the increase in utility bills. Deputy City Manager Joe King advised there were a couple of factors at play, the most significant being a very long period of cold weather. Temperatures during the first half of January were below normal. When outside temperatures are in the twenties and thirties day after day, the amount of energy needed to keep the interior of a building at a constant level, even if the inside temperature is very moderate, is much higher than normal. Electric heat pumps present a problem because they are designed to be efficient in temperatures at around 50 degrees. When the temperature drops into the twenties and thirties, heat pumps surge into resistant heat mode thereby using more energy. Mr. King said Danville's housing stock was very old and most dwellings built in the 1970's or prior to that time probably had inadequate insulation. Mr. King reported that 85% more gas was sold during January than was sold in December.

Mr. King reported the City's residential electric rates were comparable to any utility that is not operating under a cap. He cited Appalachian Power as an example of a company operating under a cap imposed by the state. In a year or so when the cap is removed, those rates will increase.

In response to Rev. Campbell, City Manager Lacy advised that for the current fiscal year, the City was right on point with sales tax activity.

Mr. Lacy reported he had talked with two citizens today who had turned down their central heating system and were supplementing heat with resistant space heaters. Mr. Lacy said that was the wrong thing to do since the space heaters were a very inefficient and expensive way to provide heat.

In response to Rev. Campbell, Mr. King advised a contractor would be installing solar panels at the Community Market. He said he did not feel there would be any permanent jobs arising from the project.

In response to Mr. Luther, Mr. King said some customers felt the source of their high utility bills may be due to the new smart meters that are currently being installed all over the City. He said some of the new meters were being read by computers and some were being read manually in order to make sure the new meters were accurate. Mr. King further advised that if there were any discrepancies between the new meters and the old, readers would be sent to check immediately and without charges to the customer. However, the number of those cases has been relatively small since only about two dozen of the new meters had malfunctioned. Mr. King said those meters have been replaced. One of the

advantages of the new meters is that if something is wrong, the computer would let us know immediately.

In response to Mayor Saunders, Mr. King said that when a customer calls with a complaint with high billing concerns, the first thing a customer service representative will do is take a look at historic information. If something abnormal shows up in the comparison, the representative would be able to spot it immediately. Mr. King said if the customer requests an immediate inspection, there would be a charge of \$36.00. If a malfunction is discovered in the meter, the fee is waived.

Mr. King advised in cases of dissatisfied customers, there is an appeals process that has been in place for decades. The Customer Service Director sets up the hearing that is conducted by a third party not connected with utilities. The hearing officer, appointed by the City Manager, hears the case and renders the judgement. There is no charge for this service.

In response to Dr. Miller, Mr. Lacy advised the City has exceeded its budget for snow removal. It is hoped the City will be eligible for an Federal Emergency Management Administration (FEMA) monies the State might get.

Mr. Tomer, a Member of the Danville Utility Commission, reported that kilowatt usage from January 2009 to January 2010 had increased 11% due to the sustained colder temperatures. From December 2009 to January 2010, it had increased by 18%. Mr. Tomer stated that with increased usage of utilities, the potential for increased profits exists. He commented that if there were sufficient increases over and above what had been budgeted, he would like for profits to be shared with utility customers in the form of a stimulus rebate. Mr. Tomer said a show of profit would depend on when the City purchased the power and at what price it was purchased.

Mayor Saunders reminded utility customers that Council Members shared their concerns and continued to seek ways to provide lower prices for utilities.

Mr. Saunders reminded citizens that the next meeting for the Coalition for a Safe Danville is March 9 and would be held at The Institute for Advanced Learning and Research.

The Meeting adjourned at 7:45 P.M.

APPROVED:

February 16, 2010

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MAYOR

ATTEST:

CITY CLERK