

The second regular April Meeting of City Council was held on April 20, 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: Interim City Manager Joseph C. King, City Attorney W. Clarke Whitfield Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Finance Director Barbara Dameron, Human Services Director Gwendolyn Edwards, Water and Gas Director Jim Harr, Budget Director Cynthia Thomasson and Economic Development Director Jeremy Stratton.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Saunders offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders recognized Volunteer Center Director Faith Stamps and Volunteer Center Coordinator Vicki Robertson. He presented a Certificate of Proclamation to Ms. Robertson proclaiming the week of April 19 - 24 as *National Volunteer Week* in Danville. Ms. Robertson and Ms. Stamps accepted the proclamation and thanked Mayor Saunders for the honor.

COMMUNICATIONS FROM VISITORS

Edmonds Street resident Rev. Cecil Bridgeforth presented three concerns to Council as follows: 1) Enforcement of the animal waste removal law in the City. Rev. Bridgeforth stated he has problems with his neighbor's dog depositing waste on his property. 2) Consider public safety courses for those who use motorized vehicles in the City. He reminded Council of the fatal accident on Westover Drive involving a woman who was attempting to cross the street in a wheelchair and was struck by a vehicle. 3) Enforcement of the removal of condemned housing and accompanying debris. Rev. Bridgeforth spoke specifically of condemned property in the Almegro community with broken windows and debris strewn around the property. He said residents were forced to tolerate the unsightliness near their homes.

Mayor Saunders thanked Rev. Bridgeforth for bringing his concerns to Council.

MINUTES

Upon Motion by Council Member Archie and second by Council Member Rawley, Minutes of the April 6, 2010 Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

AUTHORIZE ISSUANCE-GENERAL OBLIGATION BONDS-CAPITAL IMPROVEMENTS

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

ORDINANCE NO. 2010-04.03

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,240,000 TO FINANCE CAPITAL IMPROVEMENTS TO THE CITY'S WATER, WASTEWATER, GAS AND ELECTRIC SYSTEMS, CAPITAL IMPROVEMENTS TO THE CITY'S TELECOMMUNICATIONS SYSTEM, THE COSTS OF A NEW OPERATIONS CENTER TO SERVE THE UTILITIES DEPARTMENT AND A NEW COMBINED FIRE STATION AND 911 DISPATCH FACILITY

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

Mr. Shanks stated he was eager to receive spreadsheets relating to the proposed bond expenditures so Council Members could review an analysis of the cost and benefits. He spoke specifically of the \$2.5 Million proposed to be used for the nDanville Fiber to the Home project. He felt a joint meeting with the Danville Utility Commission would be helpful in analyzing the costs, benefits and revenue streams for that project.

BUDGET AMENDMENT-FY 2010-DOMESTIC VIOLENCE VICTIMS PROGRAM

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

ORDINANCE NO. 2010-04.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A DOMESTIC VIOLENCE PROGRAM GRANT IN THE AMOUNT OF \$39,976 AND APPROPRIATING SAME

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

BUDGET AMENDMENT-FY 2010-BILL & MELINDA GATES STATE LIBRARY GRANT

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

ORDINANCE NO. 2010-04.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA STATE LIBRARY ON BEHALF OF BILL AND MELINDA GATES IN THE AMOUNT OF \$9,100 AND A LOCAL SHARE IN THE AMOUNT OF \$9,100 FOR A TOTAL APPROPRIATION OF \$18,200 AND APPROPRIATING SAME

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

BUDGET AMENDMENT-FY 2010-TOBACCO REGION OPPORTUNITY FUND

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

ORDINANCE NO. 2010-04.06

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE TOBACCO REGION OPPORTUNITY FUND FOR ECONOMIC DEVELOPMENT INCENTIVE PACKAGES FOR AN APPROPRIATION IN THE AMOUNT OF \$640,000 AND APPROPRIATING THE SAME

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

Mr. Shanks stated these funds would be used to create approximately 225 new jobs in Danville. In response to Mr. Shanks, Economic Development Director Jeremy Stratton advised the funds would be used for assisting Project Verdio (Ecommets) and Batoli Sportswear with locating in Danville and benefit the expansion of Riverside Roof Truss.

AGREEMENT BETWEEN CITY & VDOT - ROBERTSON BRIDGE PROJECT

Council Member Rawley moved adoption of a Resolution entitled:

RESOLUTION NO. 2010-04.02

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF DANVILLE AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, PROVIDING FOR THE ADJUSTMENT OF GAS AND WATER FACILITIES TO ALLOW FOR CONSTRUCTION OF A NEW GEORGE W. ROBERTSON BRIDGE FROM PIEDMONT DRIVE TO MEMORIAL DRIVE, DANVILLE, VIRGINIA.

The Motion was second by Vice-Mayor Oakes 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-VDOT & CITY-ROBERTSON BRIDGE PROJECT

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

ORDINANCE NO. 2010-04.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR CONTRIBUTION-IN-AID FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) IN THE AMOUNT OF \$105,680 AND TRANSFERS TO COVER LOCAL FUNDING IN THE AMOUNT OF \$595,643 FOR REPLACEMENT OF WATER AND GAS LINES FOR THE ROBERTSON BRIDGE PROJECT AND APPROPRIATING SAME

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

CHANGE POWER COST ADJUSTMENT & PURCHASE GAS ADJUSTMENT ACCOUNTS

Council Member Shanks moved adoption of an Ordinance entitled:

ORDINANCE NO. 2010-04.08

AN ORDINANCE CHANGING THE POWER COST ADJUSTMENT ACCOUNT AND THE PURCHASE GAS ADJUSTMENT ACCOUNT FROM \$500,000 TO \$2 MILLION PER FUND.

Council Member Tomer seconded the Motion.

Interim City Manager Joe King clarified that to the fullest extent possible, revenues and expenditures are trued-up by the end of each fiscal year. The mechanism used to remedy this is a periodic cost adjustment added to consumption billings. He explained that for many years, the City had adhered to the practice of restricting these periodic adjustments so that no more than \$500,000 is either over- or under-collected at any time during the year. The cost of energy is much higher now than when the current policy was adopted and the proposed \$2,000,000 limit would allow adjustments to be smoothed out during the year to help stabilize utility billings. Mr. King advised that in addition to raising the adjustment limits for both Gas and Electric funds, it is recommended the modified practice be formally approved by City Council so the practice will become a part of the City's fiscal policies.

Mr. King emphasized the higher limit would not cause energy costs to rise and that it is hoped at year's end, revenues and expenditures would be balanced out.

The Ordinance was adopted by the following vote:

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

COMMUNICATIONS

Mr. King called attention to a communication from the City Manager's office concerning the City's review of Dan River Safety Issues. Staff felt a review was necessary following the tragic drowning of five-year-old Kolton Karnes at the Brantley Dam last week. The communication stated the City has established a task force of municipal departments and consultants to evaluate structural modifications that could reduce risks of accidents. In the meantime, Mr. King directed City staff to post additional safety signs and barriers along the Riverwalk Trail and to conduct a safety assessment of the five municipally- and privately-owned dams on the Dan River located in Danville. Dewberry and Davis engineers will assist staff members in this effort.

In response to Mr. Luther, Interim City Manager King stated the Schoolfield Dam is privately owned, the Brantley and Union Street Dams are owned by the City, and ownership of the other two is uncertain at this time.

Council Member Tomer suggested Council might adopt an Ordinance to restrict fishing on the top of dams and that fishing occur within a certain number of feet from the dam.

City Attorney Whitfield agreed to research the State Code to see if such an Ordinance would meet State Code requirements.

Dr. Miller spoke in favor of getting rid of the Brantley Dam. He said he was a certified diver and had dived into caves and shipwrecks. He said he would not go near that area of the dam -- those divers barely got out alive.

City Clerk Crane reminded Council the first monthly meeting in May has been changed to Thursday, May 6. Councilmanic and School Board elections take place on Tuesday, May 4.

There was no communication from City Attorney Clarke Whitfield.

ROLL CALL

Each Council Member expressed condolences to the family and friends of young Kolton Karnes.

Council Members expressed sincere appreciation to all public Safety workers who tried to save the young boy's life. Some nearly lost their own lives in an attempt to get the child out of the hydraulic force at the dam.

Mrs. Archie thanked Mr. King for forming the task force and encouraged everyone to vote on Tuesday, May 4.

Mayor Saunders advised that due to the closing of DOVES, the former local domestic violence shelter, his office was working

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diligently to find assistance for those who may need those services.

The Meeting adjourned at 8:05 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK