

April 7, 2009

The regular April Meeting of City Council was held on April 7, 2009 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, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Transportation Services Director Marc Adelman, Planning Associate Renee' Blair, Finance Director Barbara Dameron, Economic Development Project Manager Anne Moore-Sparks, Budget Director Cynthia Thomasson and Deputy Public Works Director/City Engineer Kent Shelton.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders recognized Miss Danville-Pittsylvania County Lindsay Bowman. Ms. Bowman was present to present an update on her activities during her reign. She reported that she will vie for the title of Miss Virginia in June in Roanoke and requested that Mayor Saunders provide a letter of support to be included in her activity scrapbook. Mayor Saunders agreed to do so.

Council Members extended best wishes to Ms. Bowman and wished her success at the pageant in June.

ADDITION TO AGENDA

Mayor Saunders asked that a Resolution be added to the Agenda as Item VIII. E-2. No voiced opposition was noted.

COMMUNICATIONS FROM VISITORS

Judy Lumpkin, a Third Avenue resident, appeared to urge Council to pass an Ordinance limiting the number of animals that can be kept in a residential yard. Ms. Lumpkin advised her neighbor had at least ten dogs in the yard that barked constantly and produced bad odors in the neighborhood. She recommended that an Ordinance state that no more than three animals could be kept at a residence. Mayor Saunders asked City Manager Lacy to follow up with Ms. Lumpkin about the issue. Mr. Lacy agreed to do so.

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MINUTES

Upon Motion by Council Member Archie and second by Council Member Campbell, Minutes of the March 17, 2009 Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION-FY 2009-HOMELAND SECURITY & TERRORISM PREVENTION

Upon Motion by Council Member Rawley and second by Vice-Mayor Oakes, Ordinance No. 2009-03.04 presented by its First Reading on March 17, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance by increasing revenues to anticipate the receipt of funds from the United States Department of Homeland Security through the Virginia Department of Emergency Management Law Enforcement Terrorism Prevention Program in the amount of \$129,815 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).

PUBLIC HEARING - REZONE PROPERTY AT 1809 SOUTH BOSTON ROAD

Mayor Saunders opened the floor for a Public Hearing to consider a request to rezone property at 1809 South Boston Road from N-C Neighborhood Commercial District to HR-C Highway Retail Commercial District. Notice of the Public Hearing had been published in the Danville Register and Bee on 24 and 31, 2009. No one present desired to be heard and the Public Hearing was closed.

Vice-Mayor Oakes moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-04.01

AN ORDINANCE REZONING FROM N-C NEIGHBORHOOD COMMERCIAL TO HR-C HIGHWAY RETAIL COMMERCIAL DISTRICT, 1809 SOUTH BOSTON ROAD.

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

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

PUBLIC HEARING -ENTERPRISE ZONE AMENDED APPLICATION FOR CITY

Mayor Saunders opened the floor for a Public Hearing to consider amending the City's Enterprise Zone application submitted to the Virginia Department of Housing and Community Development. Notice

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of the Public Hearing was published in the Danville Register and Bee on March 24 and 31, 2009. No one present desired to be heard and the Public Hearing was closed.

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.01

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AN ENTERPRISE ZONE AMENDMENT APPLICATION FOR THE CITY ENTERPRISE ZONE.

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

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

SECTION 5303 TRANSPORTATION PLANNING FUNDS - MPO

Council Member Campbell moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.02

A RESOLUTION REQUESTING THE DANVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5303 TRANSPORTATION PLANNING FUNDS.

Council Member Rawley seconded the Motion.

Council Member Shanks noted the dollar amount in the Resolution was different from the dollar amount stated in the Council Letter. Transportation Services Director Marc Adelman advised the amount in the Council Letter of \$83,156 was correct.

Council Member Shanks moved to amend the dollar amount in the Resolution from \$97,495 to \$83,156. The Motion was seconded by Council Member Campbell and carried by the following vote:

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

The Original Motion was carried by the following vote:

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

PETITION VDOT TO TRANSFER CERTAIN REAL PROPERTY TO THE CITY

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Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.03

A RESOLUTION PETITIONING THE COMMONWEALTH OF VIRGINIA TRANSPORTATION BOARD TO TRANSFER CERTAIN REAL PROPERTY TO THE CITY OF DANVILLE.

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).

DIRECT INITIATION OF IMMINENT DOMAIN PROCEEDING - FIVE PARCELS

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.04

A RESOLUTION AUTHORIZING AND DIRECTING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF ACQUIRING EASEMENT TO INSTALL UTILITY LINES ACROSS PROPERTIES OF UNKNOWN OWNERS LOCATED IN THE WILKERSON ROAD AND TOM FORK ROAD AREAS OF PITTSYLVANIA COUNTY, VIRGINIA.

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).

EMPLOY DANIEL, MEDLEY, & KIRBY, PC - IMMINENT DOMAIN PROCEEDINGS

Council Member Miller moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.05

A RESOLUTION AUTHORIZING EMPLOYMENT OF THE DANVILLE LAW FIRM OF DANIEL, MEDLEY, & KIRBY, PC.

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

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

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WORSHAM STREET DEMOLITION AGREEMENT WITH VDOT

Council Member Tomer moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.06

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF DANVILLE AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, PROVIDING FOR PROJECT CONSTRUCTION, OPERATION, AND MAINTENANCE TO ALLOW FOR THE WORSAL STREET BRIDGE DEMOLITION.

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

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

ROLL CALL

Council Members congratulated City Attorney Clarke Whitfield who was recently elected to the Board of Directors for the Local Government Attorneys of Virginia for a Two-Year Term.

Council Member Archie asked Mr. Lacy to investigate the possibility of the Main Street Post Office staying open during lunchtime hours. She said several citizens had approached her about that possibility.

Council Member Campbell commended Miss Danville-Pittsylvania County Lindsay Bowman for her work with the Boys and Girls Club. Mr. Campbell congratulated Corbin Henderson who was selected Youth of the Month by the Boys and Girls Club and from the past twelve honorees, the youth was selected as the local Youth of the Year and last week in Richmond was runner-up as Youth of the Year state-wide.

Mr. Campbell reminded everyone that next week is the 150th anniversary of Averett University and stated he was an alumni of Everett.

Mr. Campbell asked City Manager Lacy to investigate traffic conditions on Wendell Scott Drive at Arnett Boulevard. He advised there was an accident there last week. He also mentioned that citizens had complained about the large utility poles that are close to drive in spaces and felt they should have been notified

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about that before the poles were installed.

Mr. Lacy recalled that several meetings ago, citizens had appeared before Council expressing concerns about traffic safety in that area. Proposals from traffic engineering experts have been received and work is currently underway. Mr. Lacy advised work was currently being done on electric substations and he would provide Mr. Campbell with information about that work.

Council Member Luther recognized a group of Averett students who were present to observe the City Council Meeting. Mayor Saunders asked the group to stand to be recognized. He welcomed them to the Meeting.

Council Member Miller recalled that Corning had closed its doors last week and had 200 displaced workers. He thanked Congressman Perriello for his presence in Danville last week.

Vice-Mayor Oakes commented that there had been several letters to the editor in the local newspaper erroneously quoting the amount spent for recruiting a new City Manager. Some of the letters quoted figures as high as over \$100,000. Mr. Oakes advised the total amount spent for the search was \$23,142.

Council Member Rawley congratulated Averett on its 150th year in Danville. Mr. Rawley reported he is an Averett alumni. He reported that he had presented a Proclamation to Rev. John Meadows and wife Sandra. Rev. Meadows is celebrating his 25th anniversary as pastor of Central Boulevard Church of God.

Mr. Rawley advised that Sacred Heart students would once again be in Council Chambers to conduct a mock Council Meeting on Wednesday and said the students were very enthusiastic about the event. Mock elections and campaigns are held at the school prior to this meeting and those "elected" will fill the appropriate seats. Mr. Rawley's wife is a teacher at Sacred Heart.

Council Member Tomer congratulated Averett on its 150th anniversary and for the great service and education the institution had provided over those years. He thanked Vice-Mayor Oakes for pointing out the correct figure for the search since there had been so many incorrect figures quoted.

Mr. Tomer commended the City's budget team consisting of City Manager Lacy, Finance Director Barbara Dameron, Budget Director Cynthia Thomasson, and Management Analyst Amanda Paez.

Mayor Saunders thanked Lindsay Bowman for being present and wishes her the best at the Miss Virginia Pageant. He congratulated Averett on its 150th anniversary and thanked Averett students for being present.

Mayor Saunders asked that citizens be informed as to why pictures were being taken of their properties. The Real Estate office is

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now taking photos of properties that aids in assessment. He asked for an explanation during the next Council Meeting.

Mr. Saunders stated the meeting with Congressman Perriello was very successful. Mr. Perriello had met with Goodyear and Corning whose employees have faced closings and layoffs recently. Mayor Saunders stated that Danville would be just fine, although there are tough times currently and the City would come out of the tough times better than ever. He encouraged everyone to take part in the 2010 census by filling out the census forms. He advised it was very important to do so since the City received funding based on its population.

The Meeting adjourned at 7:46 P.M.

MAYOR

CITY CLERK