

April 21, 2009

The second regular April Meeting of City Council convened on April 21, 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: L. G. "Larry" Campbell, Jr., T. David Luther, Gary P. Miller, Vice-Mayor T. Wayne Oakes, Albert K. "Buddy" Rawley, Jr., Mayor Sherman Saunders, Fred O. Shanks, III, and Adam J. Tomer (8). Ruby B. Archie was absent (1).

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, Police Chief Philip Broadfoot, Interim Emergency Services Director Buster Brown, Finance Director Barbara Dameron, Fire Chief David Eagle, Housing and Development Director Dianne Morris, Management Analyst Amanda Paez, Purchasing Director Gary Via, and Budget Director Cynthia Thomasson.

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 Gracie Gunnell with Chatmoss Cable. Ms. Gunnell presented a Charity Softball Game Trophy to the Danville Police Department and to City Council. The City's Police Department had been victorious in the annual charity game with the Pittsylvania County Sheriff's Department recently. The presentation was made to Police Chief Philip Broadfoot, Mayor Saunders and Danville Police Officer Eric Ellis.

#### **COMMUNICATIONS FROM VISITORS**

Bruce Hedrick, a Pittsylvania County resident, appeared to inform Council that another media source was available to area residents. He advised he is the owner and Webmaster of halifaxcentral.com that would soon become southsidecentral.com. He encouraged citizens to make use of the sites.

Maryland resident Malik Waleet appeared to ask for assistance from City Council with respect to a significant investment he had made in the City. Mr. Waleet advised he had purchased several Dan River properties along West Main Street that are located across from the former Dan River Schoolfield facility. He said his property has the appropriate fire sprinkler system in place, but the present owners of the former Dan River property had discontinued the water loop to the system. In response to Mayor Saunders, Mr. Waleet advised the present owners told him that engineers were needed to find a way to have his waterlines

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connected to the City's system. He stated the cost to install the water lines would cost around \$40,000 to \$50,000 and that he would have to close the businesses already located there if he had to pay for the installation himself.

Mr. Waleet asked the City to extend a waiver whereby he would not be required to have the fire protection system in place. He asked to be able to have a fire alarm with a pull lever and also to allow his employees to have access to fire extinguishers in the event of a fire on his property.

In response to Mr. Shanks, City Manager Lacy said this was a fire code issue and not one for City Council. Mr. Lacy advised there were a number of ways this matter could be addressed including firewalls and/or sprinkler systems. If the applicant wished to appeal the ruling of the City, he could go to the Building Code Board of Appeals. If he did not find satisfaction there, he could then go through the State Board of Appeals process. He could then go through the court system if he did not agree with the State Board's ruling.

Mayor Saunders thanked him for bringing his concerns to Council and encouraged him to follow the appeals process that is available to him.

#### **MINUTES**

Upon Motion by Vice-Mayor Oakes and second by Council Member Miller, Minutes of the April 7, 2009 Council Minutes were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

#### **REAPPOINT MAYO TO HOUSING AUTHORITY BOARD OF COMMISSIONERS**

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.07

A RESOLUTION REAPPOINTING SYLVESTER L. MAYO AS A MEMBER OF THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY BOARD OF COMMISSIONERS.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

#### **PUBLIC HEARING - RENEW LEASE AGREEMENT - HEART LINE RESTAURANT**

Mayor Saunders opened the floor for a Public Hearing to consider renewing the Lease Agreement between the City and Deborah H.

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Parker dba/Heart Line Restaurant. Notice of the Public Hearing had been published in the Danville Register and Bee on April 13, 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. 2009-04.08

A RESOLUTION APPROVING AN AGREEMENT LEASING CERTAIN CITY-OWNED PROPERTY LOCATED AT 1817 RIVERSIDE DRIVE TO DEBORAH H. PARKER.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**PUBLIC HEARING - TAX EXEMPT STATUS - GOD'S PIT CREW, INC.**

Mayor Saunders opened the floor to consider an application from God's Pit Crew for exemption from real and personal property taxes. Notice of the Public Hearing was published in the Danville Register and Bee on April 11, 2009. Executive Director Randy Johnson appeared to answer any questions from citizens and Council Members.

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

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-04.02

AN ORDINANCE DESIGNATING GOD'S PIT CREW, INC. AS BEING EXEMPT FROM LOCAL REAL AND PERSONAL PROPERTY TAXATION.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**BUDGET AMENDMENT - 2009 - DOMESTIC VIOLENCE VICTIM PROGRAM GRANT**

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

ORDINANCE NO. 2009-04.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$29,976 AND APPROPRIATING SAME

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

**BUDGET AMENDMENT - FY 2009 - PURCHASE RUGGEDIZED LAPTOPS - GIS**

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

ORDINANCE NO. 2009-04.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET APPROPRIATING ORDINANCE TO ANTICIPATE REVENUES FROM THE VIRGINIA OFFICE OF EMERGENCY MEDICAL SERVICES FOR THE PURCHASE OF 9 RUGGERDIZED LAPTOPS TO BE USED FOR GIS MOBILE DISPATCHING TO THE FIRE DEPARTMENT IN THE AMOUNT OF \$29,468 AND APPROPRIATING SAME

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

**CODE AMENDMENT - CHAPTER 2 - OTHER POST EMPLOYMENT BENEFITS**

Upon Motion by Council Member Shanks and second by Council Member Tomer, consideration of this matter was postponed to the May 5 Council Meeting by the following vote:

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**CODE AMENDMENT - CHAPTER 30 UPDATE PROCUREMENT CODE**

Council Member Shanks move adoption of an Ordinance entitled:

ORDINANCE NO. 2009-04.06

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 30, ENTITLED "PROCUREMENT CODE," OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, TO UPDATE THE MONETARY LIMITS OF THE POLICIES AND PROCEDURES FOR GOVERNMENTAL PROCUREMENT BY THE CITY OF DANVILLE, VIRGINIA FROM NONGOVERNMENTAL SOURCES TO MAT

Mayor Saunders called attention to a communication that had been placed at the desk of each Council Member prior to the Meeting.

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The document contained amendments to the Ordinance that had been distributed in the agenda package. Mr. Shanks and Mr. Luther agreed to include the amendments in the original Motion.

The Ordinance was adopted by the following vote:

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**CODE AMENDMENT - CHAPTER 25 - VETERAN'S MEMORIAL**

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-04.07

AN ORDINANCE AMENDING AND REORDAINING ITEM (E) OF SECTION 25.12 ENTITLED "THE VETERAN'S MEMORIAL OF DANVILLE/PITTSYLVANIA COUNTY" OF CHAPTER 25, ENTITLED "PARKS AND RECREATION OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA TO REQUIRE THE AT-LARGE VOTING MEMBERS TO BE VETERANS.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**OPPOSE WITHDRAWAL AND INTERBASIN TRANSFER OF WATER**

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-04.09

A RESOLUTION OPPOSING THE WITHDRAWAL AND INTERBASIN TRANSFER OF WATER FROM THE ROANOKE RIVER BASIN BY THE LAKE GASTON REGIONAL WATER SYSTEM TO SERVE COMMUNITIES IN OTHER RIVER BASIN AREAS.

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

VOTE: 8-0  
AYE: Campbell, Luther, Miller, Oakes, Rawley,  
Saunders, Shanks, and Tomer (8)  
NAY: None (0)  
ABSENT: Archie (1).

**COMMUNICATIONS**

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

City Attorney Whitfield acknowledged the presence of and commended Purchasing Director Gary Via for providing the update for the Purchasing Code. Mr. Via had worked tirelessly on the document to bring the City's code up to State Code standards.

**ROLL CALL**

Council Member Campbell recalled there had been many break-ins in the Druid Hills area recently and commended the Police Department for their actions in the matter. Rev. Campbell asked parents to check on their children and know where they are and who they are with at any given point in time.

Mayor Saunders, who is a resident of Druid Hills, commended the Police Department for their work in an attempt to alleviate the crime situation there. He said Druid Hills was a wonderful neighborhood with great citizens who work hard everyday and take care of their property and each other. He encouraged the young people to desist from the activity, stating they were only hurting themselves in the long run.

Council Members Luther, Miller, Rawley, Shanks, Tomer and Vice-Mayor Oakes commended the employees of the City for the continuing dedication to their jobs in spite of these challenging economic times. The FY 2010 budget did not include salary increases and Mr. Luther stated he hoped the City would have such a successful year that their efforts could be rewarded during the next budget year.

Council Member Rawley announced the new building at Danville Community College would be named "Foundation Hall" since the Danville Regional Foundation provided the funding for the new Health Sciences facility. He reported the facility would be opening in June. He advised construction for a new student center was currently underway.

Council Member Shanks reported he spoke last week during a meeting of the West End Neighborhood Association. He said the group, who had recently started a Neighborhood Watch Program, were ready to help the City move forward.

Mayor Saunders reminded citizens to be sure and be counted in the upcoming census. The City receives funds based on its population and it is of vital importance that everyone be counted.

The Meeting adjourned at 7:55 P.M.

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APPROVED:

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MAYOR

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CITY CLERK