

June 16, 2009

The second regular June Meeting of City Council convened on June 16, 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 Saunders, Fred O. Shanks, III, and Adam J. Tomer (9).

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

Other Staff Members present were Police Chief Philip Broadfoot, Emergency Services Director Bernard "Buster" Brown, Finance Director Barbara Dameron, Fire Chief David Eagle, Community Development Director Jerry Fischer, Interim Assistant City Manager for Utilities/Water and Gas Director Jim Harr, Housing and Development Director Dianne Morris, Inspections Director Jerry Rigney, Parks, Recreation, and Tourism Director Bill Sgrinia, and Budget Director Cynthia Thomasson.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Gary Miller, MD, offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders recognized First Baptist Church Pastor Rev. Stephen Cook. He presented a Certificate of Recognition to Rev. Cook proclaiming Sunday, June 28, 2009 as First Baptist Church Day in Danville. The Church is celebrating its 175th anniversary. On behalf of the entire church congregation, Rev. Cook expressed his sincere appreciation to Mayor Saunders for the honor.

COMMUNICATIONS FROM VISITORS

Mason Drive resident Darryl Bruce appeared to inform Council about a special event. He advised there would be a celebration for the Seeland Crossing community on June 26 from 5 p.m. to 9:00 p.m. at the Hope VI project site. He reported there would be a number of displays from the health, educational, and business communities for Seeland Crossing residents. Mr. Bruce stated the vision for the event came from Apostle Lawrence Campbell, Pastor of Bibleway Cathedral. The event is a collaboration of Bibleway Cathedral, Liberty Baptist Church and the Danville Redevelopment and Housing Authority.

MINUTES

Upon Motion by Council Member Rawley and second by Council Member Archie, Minutes of the June 2, 2009 Council Minutes were approved

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as presented. Draft copies had been distributed to Council Members prior to the Meeting.

PUBLIC HEARING - BUDGET AMENDMENTS FOR FY 2008-2009

Mayor Saunders announced the following Budget Amendments had been previously discussed by City Council and introduced for First Reading and would be further considered in Public Hearing. After the Public Hearing is closed, there will be no separate discussion on these items and they will be enacted by One Motion. If a Council Member or citizen desires to discuss an item, it will be removed from the Consent Process and considered separately.

Mayor Saunders opened the floor for a Public Hearing to consider amendments to the FY 2008-2009 Budget Appropriation Ordinance. Notice of the Public Hearing had been advertised in the Danville Register and Bee on June 8, 2009. No one present desired to be heard and the Public Hearing was closed.

Upon Motion by Council Member Shanks and second by Council Member Tomer, Ordinance No. 2009-06.03 presented by its First Reading on June 2, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance providing for a transfer from the General Fund Reserved Fund Balance not to exceed \$250,000 to cover anticipated over-expenditure of Group Health Insurance costs for Fiscal Year 2009 was adopted by the following vote:

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

Upon Motion by Council Member Shanks and second by Council Member Tomer, Ordinance No. 2009-06.05 presented by its First Reading on June 2, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance anticipating additional funds from the Virginia Department of Social Services in the amount of \$360,205 for funding for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) Program was adopted by the following vote:

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

Upon Motion by Council Member Shanks and second by Council Member Tomer, Ordinance No. 2009-06.06 presented by its First Reading on June 2, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance⁴ to provide for a Grant from the Virginia Department of Emergency Management in an amount of \$60,000 for upgrades to the Danville Regional Hazardous Materials Response Team and appropriating same was adopted by the following vote:

VOTE: 9-0

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

Upon Motion by Council Member Shanks and second by Council Member Tomer, Ordinance No. 2009-06.07 presented by its First Reading on June 2, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance to provide for a Grant in the amount of \$54,083 from the Virginia Wireless E-911 Services Board Public Safety Answering Point Grant was adopted by the following vote:

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

Upon Motion by Council Member Shanks and second by Council Member Tomer, Ordinance No. 2009-06.04 presented by its First Reading on June 2, 2009 amending the Fiscal Year 2009 Budget Appropriation Ordinance by increasing revenues to provide for a Grant from the Federal Highway Administration and the Virginia Department of Conservation and Recreation in the amount of \$150,000 for Anglers Park-Riverwalk Trailhead improvements was adopted by the following vote:

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

APPROVE VARIOUS BUDGETS OF THE CITY FOR FY 2009-2010

Upon Motion by Council Member Archie and second by Vice-Mayor Oakes, Resolution No. 2009-06.22 presented by its First Reading on June 2, 2009 approving the Budgets of the Various Funds of the City of Danville for the Fiscal Year ending June 30, 2010 was adopted by the following vote:

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

APPROVE FISCAL YEAR 2010 CAPITAL IMPROVEMENTS PLAN

Upon Motion by Council Member Luther and second by Council Member Shanks, Resolution No. 2009-06.23 presented by its First Reading on June 2, 2009 approving the Fiscal Year 2010 Capital Improvements Plan for the City of Danville, Virginia was adopted 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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BUDGET APPROPRIATION ORDINANCE FOR FY 2009-2010

Upon Motion by Council Member Campbell and second by Council Member Tomer, Ordinance No. 2009-06.01 presented by its First Reading on June 2, 2009 Budget Appropriation Ordinance for Fiscal Year 2010 was adopted by the following vote:

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

AUTHORIZE ISSUANCE OF GO BONDS - \$15,500,000 - UTILITY PROJECTS

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

ORDINANCE NO. 2009-06.08

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$15,500,000 FOR CAPITAL IMPROVEMENTS TO THE CITY'S WATER, WASTEWATER, GAS AND ELECTRIC SYSTEMS AND FOR VARIOUS TELECOMMUNICATIONS PROJECTS AND AN OPERATIONS CENTER FOR SERVE THE UTILITIES DEPARTMENT

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

BAO/AMENDMENT FY 2010 - COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

ORDINANCE NO. 2009-06.09

BUDGET APPROPRIATION/AMENDMENT ORDINANCE FOR FISCAL YEAR 2010 FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP FUNDS FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND ESTIMATED PROGRAM INCOME FOR A TOTAL APPROPRIATION OF \$1,691,525

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

COMMUNICATIONS

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

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City Attorney Whitfield called attention to a communication he had placed at the desk of each Council Member. The communication advised that the Fourth Circuit Court of Appeals entered judgment in the Rennie Hunt Case, which was filed over seven years ago, in favor of the City. Mr. Whitfield thanked Daniel, Medley and Kirby, the Law Firm that defended the City and the Virginia Municipal League who paid the legal fees.

ROLL CALL

Council Member Archie commended Galileo students for their excellence in scholarship, service and club activities. Over 100 students received recognition at the Seventh Annual Awards Ceremony recently. Mrs. Archie advised there would be a summer reading program to encourage cultural literacy. Galileo students will be reading books relating to English, Science, and Social Studies.

Council Member Luther reported he attended the graduation ceremony for eighth graders at Bonner School. He stated he was pleasantly surprised to see more parents in attendance than children. He extended congratulations to all of the City's graduates.

Council Member Miller advised he attended a meeting of the American Medical Association (AMA) recently and heard a major address by President Obama concerning the nation's healthcare. He said President Obama was committed to healthcare reform, as was the AMA. Dr. Miller cited a situation involving a 53-year-old heart patient in Martinsville who could not afford his blood pressure medication and subsequently suffered a stroke and has lost his health. He said something had to be done to prevent occurrences such as this.

Council Member Rawley cited several Utilities Department employees who had perfect job attendance for 10, 11, and 12 years.

Council Member Shanks recognized Interim Assistant City Manager for Utilities Jim Harr who was in attendance. Mr. Harr has filled the Interim position on several occasions and Mr. Shanks welcomed Mr. Harr and extended good wishes during his tenure.

Council Member Tomer expressed dismay over the recent shooting of an eleven-pound daschund by a Danville Police Officer. He felt there was no excuse for the killing of the animal stating other means of warding off the dog's advances toward the officer could have been utilized. Mr. Tomer stated he would like to have a work session with City Manager Lacy and any Council Members who would like to attend for the purpose of sharing concerns about the Police Department's leadership.

Mayor Saunders stated Council was very aware of the concerns of the City's citizens, neighbors, and friends in surrounding

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jurisdictions and all over about the shooting of the daschund. He said Council has heard the concerns and will continue to do so. Council continues to share its concerns with the Administration and said that was the proper place to share those concerns. Mr. Saunders reminded citizens that Council had authority over three employees only, i.e., the City Manager, City Attorney, and City Clerk. He said any concerns should be addressed with the City Manager and the issue was being addressed since that's the way the system works.

The Meeting adjourned at 7:45 P.M.

APPROVED:

MAYOR

CITY CLERK