

The regular March Meeting of City Council was held on March 1, 2011 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., John B. Gilstrap, Alonzo L. Jones, Vice Mayor T. David Luther, Gary P. Miller, Albert K. "Buddy" Rawley Jr., Mayor Sherman M. Saunders, Fred O. Shanks III, and Adam J. Tomer (9).

Staff Members present were: City Manager Joseph C. King, Deputy City Manager David A. Parrish, City Attorney W. Clarke Whitfield Jr. and City Clerk Susan M. DeMasi.

Other Staff Members present were: Finance Director Barbara Dameron, Budget Director Cynthia Thomasson, Parks, Recreation & Tourism Director William Sgrina, Director of Information Technology Inez Harville, Laurie Weaver and Melissa Dabbs, Information Technology, Community Development Director Earl Reynolds, Planning Director Ken Gillie, Economic Development Director Jeremy Stratton.

Mayor Saunders presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Albert K. "Buddy" Rawley offered the Invocation. The Pledge of Allegiance to the Flag followed, led by Girl Scout Troup 152.

### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Scott Agnew, Director of Sales from AT&T presented to Inez Harville, Director of Information Technology, The Digital Cities Award. Mr. Agnew noted that this is a competitive, national award and that Danville was successful in winning this award on their first attempt.

Mayor Saunders introduced Ms. Mae Gayle and Girl Scout Troup #152. Mayor Saunders read a Proclamation noting that March 12, 2011 marks the 99<sup>th</sup> anniversary of Girl Scouts of the USA and proclaimed the week of March 6<sup>th</sup>, 2011, Girl Scout Week.

Girl Scout Troup #152 made a presentation to Council regarding their upcoming activities. This year's theme for the Girl Scouts is "Empowering Girls". Troop #152 stated that they are sponsoring a project called "Girl Scouts, How Does Your Garden Grow." Troop #152 will learn and then teach other girls to grow container gardens and encourage them to donate a portion of their vegetables to God's Storehouse. Troop #152 then presented Girl Scout Cookies to council members.

### **COMMUNICATION FROM VISITORS**

Mayor Saunders recognized Lee Vogler, Grove Park Circle, Danville. Mr. Vogler commented on street light reduction in Danville. Mr. Vogler stated that he believes that a 10% citywide reduction, turning off one out of every ten streetlights in the City, would result in savings of about \$100,000 for the City.

Mayor Saunders recognized Mr. John Davey, of Trinity United Methodist Church, Vicky Johnson, Youth Director and Austin Moon, also of Trinity United Methodist Church. Mr. Davey discussed a program his church participated in during the past few years called "Impact Richmond" and noted that their church is organizing an area wide mission called "Impact Danville", being held July 24<sup>th</sup> through July 30<sup>th</sup>. Their mission would help citizens in

Danville with repairs to their homes at no cost to the homeowners. Participants in the mission work would be children in 6<sup>th</sup> to 12<sup>th</sup> grade.

Mayor Saunders recognized Antonia J. McCray, the founder of Volunteer Doctors Coalition. Ms. McCray discussed her initiative for a domestic violence shelter for women in Danville. The name of her project will be Hope Restored House.

Mayor Saunders recognized Rufus Fuller, Pastor of East New Hope Baptist Church, Airport Drive, Danville. Mr. Fuller expressed his thanks for the council's support over the last three years, for his program, Feed the Children of Danville. Pastor Fuller notes they have given out over 600 boxes of food and thousands of book bags at different events over the last three years. Pastor Fuller noted they plan to hold an event again this August, asking council for their support as they have done in the past.

### **MINUTES**

Upon Motion by Council Member Shanks and second by Council Member Rawley, Minutes of the February 15, 2011 Regular Council Meeting were approved as presented. Draft copies had been distributed prior to the Meeting.

### **OLD BUSINESS**

Council Member Jones **moved** adoption of an Ordinance:

#### **ORDINANCE NO. 2011-02.05**

AN ORDINANCE AMENDING THE FISCAL YEAR 2011 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$40,000 AND APPROPRIATING SAME.

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

VOTE: 9-0  
 AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
 Rawley, Saunders, Shanks and Tomer (9)  
 NAY: None (0)

### **REMOVE ITEM FROM AGENDA**

Mayor Saunders announced Item VIII A would be removed from the agenda at the applicant's request.

### **NEW BUSINESS**

#### **PUBLIC HEARING – SPECIAL USE PERMIT - OPERATION OF ADULT DAY CARE CENTER AT 166 SMITH STREET**

Mayor Saunders opened the floor for a Public Hearing to consider a request for a Special Use Permit for the Operation of an Adult Day Care Center at 166 Smith Street. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

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

Council Member Campbell **moved** adoption of an Ordinance entitled:

**ORDINANCE NO. 2011-03.01**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW THE OPERATION OF AN ADULT DAY CARE CENTER IN ACCORDANCE WITH ARTICLE 3E, SECTION C, ITEM 7 OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED AT 166 SMITH STEET, SUBJECT TO CONDITIONS.

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

VOTE: 9-0  
AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
Rawley, Saunders, Shanks and Tomer (9)  
NAY: None (0)

**PUBLIC HEARING – SPECIAL USE PERMIT – CHILD DAY CARE FACILITY AT 854 LUNA LAKE ROAD**

Mayor Saunders opened the floor for a Public Hearing to consider a request for a Special Use Permit for the Operation of a Child Day Care Facility at 854 Luna Lake Road. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

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

Council Member Tomer **moved** adoption of an Ordinance entitled:

**ORDINANCE NO. 2011-03.02**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE FACILITY IN ACCORDANCE WITH ARTICLE 3C, SECTION C, ITEM 8 OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED AT 854 LUNA LAKE ROAD, SUBJECT TO CONDITIONS.

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

VOTE: 9-0  
AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
Rawley, Saunders, Shanks and Tomer (9)  
NAY: None (0)

**PUBLIC HEARING – AMEND YEAR 2020 LAND USE PLAN**

Mayor Saunders opened the floor for a Public Hearing to consider a request to Amend the Year 2020 Land Use Plan from Attached and Mixed Residential to Urban Single Family and Rezone from N-C, Neighborhood Commercial to OT-R, Old Town Residential District, 0.29 Acres at 113 Rosemary Lane. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

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

Council Member Campbell **moved** adoption of an Ordinance entitled:

**ORDINANCE NO. 2011-03.03**

AN ORDINANCE AMENDING THE YEAR 2020 LAND USE PLAN FROM ATTACHED AND MIXED RESIDENTIAL TO URBAN SINGLE FAMILY AND REZONING FROM N-C, NEIGHBORHOOD COMMERCIAL TO OT-R, OLD TOWN RESIDENTIAL DISTRICT, 0.29 ACRES AT 113 ROSEMARY LANE.

The Motion was seconded by Vice Mayor Luther and carried by the following vote.

VOTE: 9-0  
AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
Rawley, Saunders, Shanks and Tomer (9)  
NAY: None (0)

**PUBLIC HEARING – REQUEST TO REZONE – SUTHERLIN PLACE**

Mayor Saunders opened the floor for a Public Hearing to consider a request to Rezone 16 Parcels and Common Areas of Sutherlin Place, Approximately 2 Acres, from TO-C, Transitional Office Commercial to A-R, Attached Residential. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

Mr. William Hopkins, representing himself and the other owners of Sutherlin Place, stated the property had been re-zoned to Transitional Office Commercial sometime in the past. He stated that the zoning had not been a problem until recently, as mortgage companies do not approve properties zoned transitional. Mr. Hopkins asked council to approve the special permit and rezone the property to attached residential.

No one further desired to be heard and the public hearing was closed.

Council Member Shanks **moved** adoption of an Ordinance entitled:

**ORDINANCE NO. 2011-03.04**

AN ORDINANCE REZONING FROM TO-C, TRANSITIONAL OFFICE COMMERCIAL TO A-R, ATTACHED RESIDENTIAL APPROXIMATELY 2 ACRES CONSISTING OF 16 PARCELS AND COMMON AREAS OF SUTHERLIN PLACE.

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

VOTE: 9-0  
AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
Rawley, Saunders, Shanks and Tomer (9)  
NAY: None (0)

**PUBLIC HEARING – SPECIAL USE PERMIT – SUTHERLIN PLACE**

Mayor Saunders opened the floor for a Public Hearing to consider a Request for a Special Use Permit to Allow for a Waiver of the Minimum District Size on Approximately 2 Acres

Consisting of 16 Parcels and Common Areas of Sutherlin Place. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

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

Council Member Tomer **moved** adoption of an Ordinance entitled:

**ORDINANCE O2011-03.05**

An Ordinance Granting a Special Use Permit to Allow for a Waiver of the Minimum District Size in Accordance with Article 3F, Section C, Item 18 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended on Approximately 2 Acres Consisting of 16 Parcels and Common Areas of Sutherlin Place, Otherwise Known as Grid 1720, Block 012, Parcels 000300, 000302, 000304, 000306, 000308, 000310, 000400, 000402, 000404, 000406, 000408, 000410, 000412, 000414, 000416, and 000418 of the City of Danville, Virginia Zoning District Map. Notice of the Public Hearing was published in the Danville Register and Bee on February 15 and February 22, 2011.

The Motion was seconded by Vice Mayor Luther and carried by the following vote.

VOTE: 9-0  
AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
Rawley, Saunders, Shanks and Tomer (9)  
NAY: None (0)

**BUDGET AMENDMENT – FY 2011 – DANVILLE REGIONAL FOUNDATION GRANT**

Upon **Motion** by Council Member Rawley and seconded by Council Member Gilstrap, an Ordinance entitled:

**ORDINANCE NO. 2011-03.06**

An Ordinance Amending the Fiscal Year 2011 Budget Appropriation Ordinance to Provide for a Grant from the Danville Regional Foundation for the River District Plan in the Amount of \$75,000 and Local Share in the Amount of \$25,000 for a Total Appropriation in the Amount of \$100,000 and Appropriating the Same.

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

**CONSIDERATION – ADOPTION OF RIVERWALK MASTER PLAN UPDATE**

Council Member Miller **moved** adoption of a Resolution entitled:

**RESOLUTION 2011-03.01**

A Resolution Adopting the Riverwalk Master Plan Update for the Purpose of Providing a Citywide Trail/Greenway Planning Document.

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

VOTE: 9-0  
 AYE: Campbell, Gilstrap, Jones, Luther, Miller,  
 Rawley, Saunders, Shanks and Tomer (9)  
 NAY: None (0)

**COMMUNICATIONS**

City Attorney, Clarke Whitfield, noted that he had provided Council Members with a copy of House Bill 1584, the Bill that is going to Governor McDonnell for his signature. This Bill represents the Legislative response to Internet Cafes and Internet Gambling. Mr. Whitfield stated that he will keep Council informed on the progress of the Bill.

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

**ROLL CALL**

Council Members all thanked the Girl Scouts for visiting City Council and for their gift of cookies. Also, congratulations again to Inez Harville and her staff for their hard work and for winning the AT&T, Digital Cities Award. Council Members also expressed appreciation for citizens coming to Council and letting them know what they are doing for the City.

Council Member Tomer and Council Member Gilstrap thanked Mrs. Tomer’s Little Sister from Big Brothers and Big Sisters for attending the meeting.

Council Member Jones thanked the City workers during the power outage last week who did a phenomenal job removing trees and getting the power back on.

Mayor Saunders noted that he is very proud of the City, all the residents and City employees and for everything they do. Mayor Saunders noted that the Council is trying to make things better and believe that they are making progress. Special thanks to the Girl Scouts for their gifts to Council. Mayor Saunders also gave thanks to the *Star-Tribune* and for their article from the City that was recently published.

The Meeting adjourned at 8:00 P.M.

APPROVED:

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MAYOR

ATTEST:

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CITY CLERK