

January 6, 2009

The regular January Meeting of City Council was held on January 6, 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., Fred O. Shanks, III, and Adam J. Tomer (6). Ruby B. Archie, L. G. "Larry" Campbell, Jr., and Mayor Sherman Saunders were absent (3).

Staff Members present were: Interim 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, Finance Director Barbara Dameron, Human Services Director Gwendolyn Edwards, Planning Director Kenny Gillie, Management Analyst Amanda Paez, and Parks, Recreation, and Tourism Director Bill Sgrinia.

Vice-Mayor Oakes presided. He announced that Mayor Saunders was absent due to a death in his family, Mrs. Archie was absent due to illness, and Rev. Campbell was out of town on business.

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

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

#### **MINUTES**

Upon Motion by Council Member Luther and second by Council Member Shanks, Minutes of the Regular December 16, 2008 were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

#### **BUDGET ADOPTION - FY 2009 - SENIOR TRANSPORTATION SERVICE**

Upon Motion by Council Member Tomer and second by Council Member Rawley, Ordinance No. 2008-12.06 presented by its First Reading on December 16, 2008 amending the Fiscal Year 2009 Budget Appropriation Ordinance by increasing certain revenues to provide for grant funds for Senior Transportation Services and appropriating same was adopted by the following vote:

VOTE: 6-0  
AYE: Luther, Miller, Oakes, Rawley, Shanks, and Tomer (6)  
NAY: None (0)  
ABSENT: Archie, Campbell, and Saunders (3).

#### **PUBLIC HEARING - SPECIAL USE PERMIT - 1090 FRANKLIN TURNPIKE**

Vice-Mayor Oakes opened the floor for a Public Hearing to consider a request for a Special Use Permit to allow for a caretaker/employee residence on property at 1090 Franklin

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Turnpike. Notice of the Public Hearing had been published in the Danville Register and Bee on December 23 and 30, 2008. Ernie Rhymer with Quality Oil Company was present to answer questions from Council Members and citizens. Following comments and questions from Council for Planning Director Kenny Gillie, the Public Hearing was closed.

Council Member Luther moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-01.01

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW A CARETAKER/EMPLOYEE RESIDENCE IN ACCORDANCE WITH ARTICLE 3.J, SECTION C, ITEM 17, OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 1090 FRANKLIN TURNPIKE.

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

VOTE: 6-0  
AYE: Luther, Miller, Oakes, Rawley, Shanks, and Tomer (6)  
NAY: None (0)  
ABSENT: Archie, Campbell, and Saunders (3).

**PUBLIC HEARING - SPECIAL USE PERMIT - 1414 WESTOVER DRIVE**

Vice-Mayor Oakes opened the floor for a Public Hearing to consider a request for a Special Use Permit to allow for a caretaker/employee residence on property at 1414 Westover Drive. Notice of the Public Hearing had been published in the Danville Register and Bee on December 23 and 30, 2008. Ernie Rhymer with Quality Oil Company was present to answer questions from Council Members and citizens. Following comments and questions from Council for Planning Director Kenny Gillie, the Public Hearing was closed.

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-01.02

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW A CARETAKER/EMPLOYEE RESIDENCE IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 22, OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 1414 WESTOVER DRIVE.

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

VOTE: 6-0  
AYE: Luther, Miller, Oakes, Rawley, Shanks, and Tomer (6)  
NAY: None (0)  
ABSENT: Archie, Campbell, and Saunders (3).

**PUBLIC HEARING - SPECIAL USE PERMIT - 266 & 274 HAIRSTON STREET**

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Vice-Mayor Oakes opened the floor for a Public Hearing to consider a request for a Special Use Permit to operate a kennel at 266 & 274 Hairston Street. Notice of the Public Hearing had been published in the Danville Register and Bee on December 23 and 30, 2008. Applicant Derek Holley was present to answer questions from Council Members and citizens. Following comments and questions from Council for Planning Director Kenny Gillie and Mr. Holley, the Public Hearing was closed.

Council Member Luther moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-01.03

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO OPERATE A KENNEL IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 17, OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 1090 FRANKLIN TURNPIKE.

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

VOTE: 6-0  
AYE: Luther, Miller, Oakes, Rawley, Shanks, and Tomer (6)  
NAY: None (0)  
ABSENT: Archie, Campbell, and Saunders (3).

**BUDGET AMENDMENT - FY 2009 - COMPREHENSIVE SERVICES ACT FUNDS**

Upon Motion by Council Member Rawley and second by Council Member Miller,

ORDINANCE NO. 2009-01.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET APPROPRIATION ORDINANCE BY APPROPRIATING COMPREHENSIVE SERVICES ACT FUNDS AND PROVIDING LOCAL MATCHING FUNDS FOR A TOTAL AMOUNT OF \$5,096,323

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

**BUDGET AMENDMENT - FY 2009 - COPS SECURE OUR SCHOOLS GRANT**

Upon Motion by Council Member Miller and second by Council Member Rawley,

ORDINANCE NO. 2009-01.05

AN ORDINANCE AMENDING THE FISCAL YEAR 2009 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES TO ANTICIPATE THE RECEIPT OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES SECURE OUR SCHOOLS GRANT PROGRAM IN THE AMOUNT OF \$46,032 AND APPROPRIATING SAME

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

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**CODE AMENDMENT-CHAPTER 6 - NEW ARTICLE I ENTITLED "MASS TRANSIT"**

Council Member Luther moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-01.06

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 6, ENTITLED "AVIATION" OF THE DANVILLE CITY CODE BY RENAMING THE TITLE TO READ "TRANSPORTATION AND AVIATION" AND ORDINANCE A NEW ARTICLE I, ENTITLED "MASS TRANSIT."

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

VOTE: 6-0  
AYE: Luther, Miller, Oakes, Rawley, Shanks, and Tomer (6)  
NAY: None (0)  
ABSENT: Archie, Campbell, and Saunders (3).

**COMMUNICATIONS**

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

**ROLL CALL**

Council Members extended sympathy to Mayor Saunders and wife, Sandy. Mrs. Saunders mother, Thelma Younger, passed away on Monday. Council also extended get-well wishes to Mrs. Archie.

Dr. Miller read a statement opposing uranium mining in Pittsylvania County.

The Meeting adjourned at 7:40 P.M.

APPROVED:

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MAYOR

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CLERK