

August 18, 2009

The second regular August Meeting of City Council was held on August 18, 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 (entered immediately following Roll Call), 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, Deputy City Manager Joseph C. King, City Attorney W. Clarke Whitfield, Jr. and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were City Treasurer Lyn Barbour, Police Chief Philip Broadfoot, Finance Director Barbara Dameron, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Housing and Development Director Dianne Morris, and Parks, Recreation, and Tourism Director Bill Sgrinia.

Mayor Saunders presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice-Mayor Wayne Oakes offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Saunders recognized Housing and Development Director Dianne Morris. Ms. Morris announced the Building Blocks opening houses would take place on August 22, 2009 from 10 a.m. to 2 p.m. in order to showcase six homes that have been rehabilitated on Broad and Cleveland Streets. She stated a \$5,000 discount was offered if potential purchasers bought a home now. In addition, there is a first-time homebuyer tax credit of up to \$8,000 and those who wish to take advantage of this opportunity have until December 1, 2009 to do so.

MINUTES

Upon Motion by Council Member Council Member Miller and second by Vice-Mayor Oakes, Minutes of the August 4, 2009 Regular Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION - FY 2010 - SAFE ROUTES TO SCHOOL PROGRAM - VDOT

Upon Motion by Council Member Rawley and second by Council Member Campbell, Ordinance No. 2009-08.04 presented by its First Reading on August 4, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance anticipating revenues from the Virginia Department of Transportation Safe Routes to School Program in the amount of \$236,300 was adopted by the following vote:

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

BUDGET ADOPTION - FY 2010 - VOEMS FUNDS - PATIENT CARE REPORTING

Upon Motion by Council Member Campbell and second by Council Member Archie, Ordinance No. 2009-08.05 presented by its First Reading on August 4, 2009 amending the Fiscal Year 2010 Budget Appropriation Ordinance to provide for a grant in the amount of \$25,550 from the Virginia Office of Emergency Medical Services, provided by the Department of Homeland Security (DHS), State Homeland Security Program (SHSP), 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).

APPOINTMENTS

Council Member Luther moved adoption of the following Resolutions of Appointment:

Resolution No. 2009-08.02 appointing Robin D. Crews as a Member of the Commission of Architectural Review.

Resolution No. 2009-08.03 reappointing Cecil Bridgeforth as a Member of the Community Improvement Council.

Resolution No. 2009-08.04 appointing Philip W. Campbell as a Member of the Community Improvement Council.

Resolution No. 2009-08.05 appointing T. David Luther as a Member of the Danville Redevelopment and Housing Authority Board of Commissioners.

Resolution No. 2009-08.06 appointing W. Jeffrey Liverman as a Member of the Danville Utility Commission.

Resolution No. 2009-08.07 appointing Suzette T. Bohannon as a Member of the Public Welfare Advisory Board.

Resolution No. 2009-08.08 appointing John L. Moody as a Member of the Transportation Advisory Board.

Resolution No. 2009-08.09 appointing Ralph C. Price as a Member of the Transportation Advisory Board.

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

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

PUBLIC HEARING - SALE SURPLUS CITY PROPERTY ON FARRAR STREET

Mayor Saunders opened the floor for a Public Hearing to consider approving the sale of surplus property located on Farrar Street. Notice of the Public Hearing had been published in the Danville Register and Bee on August 11, 2009. No one present desired to be heard and the Public Hearing was closed.

Council Member Rawley moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-08.06

AN ORDINANCE DECLARING CERTAIN CITY OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO CONVEY SUCH PROPERTY.

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

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

BUDGET AMENDMENT - FY 2010 - EDWARD BYRNE JAG ASSISTANCE PROGRAM

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

ORDINANCE NO. 2009-08.07

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM THE DEPARTMENT OF JUSTICE FY09 RECOVERY ACT EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IN THE AMOUNT OF \$163,618 TO BE USED TO IMPLEMENT TECHNOLOGY IMPROVEMENTS AND EQUIPMENT UPGRADES TO THE DANVILLE POLICE DEPARTMENT, THE DANVILLE SHERIFF'S OFFICE AND THE DANVILLE COURTHOUSE

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

BUDGET AMENDMENT - FY 2010 - TITLE III-B AND TITLE III-D FUNDS

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

ORDINANCE NO. 2009-08.08

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AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE BY INCREASING CERTAIN REVENUES IN THE AMOUNT OF \$243,510 TO PROVIDE FOR TITLE III-B AND TITLE III-D GRANT FUNDS AND LOCAL SHARE FOR SENIOR CITIZEN PROGRAMS AND APPROPRIATING SAME

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

STORMWATER MANAGEMENT AGREEMENT - ROUTE 41 PROJECT - VDOT

Council Member Shanks moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-08.10

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF DANVILLE AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, PROVIDING FOR A STORMWATER MANAGEMENT AGREEMENT IN CONJUNCTION WITH WIDENING FRANKLIN TURNPIKE (ROUTE 41) FROM PINEY FOREST ROAD TO THE NORTH CORPORATE LIMITS.

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

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

BUDGET AMENDMENT - FY 2010 - VDOT FUNDS - STORMWATER IMPROVEMENTS

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

ORDINANCE NO. 2009-08.09

AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY AND TO BE FINANCED ANTICIPATING REVENUES FROM VIRGINIA DEPARTMENT OF TRANSPORTATION URBAN HIGHWAY FUNDS IN THE AMOUNT OF \$55,000

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

Mr. Shanks stated these improvements should take care of drainage problems that have occurred following the widening of Franklin Turnpike.

AMEND CITY CODE CHAPTER 5 ENTITLED "ANIMALS AND FOWL"

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2009-08.10

August 18, 2009

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 5, ENTITLED
"ANIMALS AND FOWL" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA.

Council Member Rawley seconded the Motion.

Mr. Luther called attention to page 4 in paragraph of the ordinance defining dangerous dogs. He stated "or cats" should be added to (ii) following the words "both dogs." City Attorney Whitfield agreed to make the addition to the Ordinance.

The Ordinance was adopted by the following vote:

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

FY 2010 PERFORMANCE CONTRACT - COMMUNITY SERVICES

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-08.11

A RESOLUTION APPROVING THE FISCAL YEAR 2010 PERFORMANCE CONTRACT
FOR DANVILLE-PITTSYLVANIA COMMUNITY SERVICES.

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).

Mayor Saunders asked Danville Pittsylvania Community Services Executive Director Lenard Lackey to come forward. Mr. Lackey had announced his retirement and Mayor Saunders thanked him for his years of service as Executive Director and for his commitment to Community Services and its clientele.

Council Members expressed good wishes to Mr. Lackey on his retirement and thanked him for his service to the citizens of Danville and Pittsylvania County.

Mr. Lackey thanked City Council for its support over the years and expressed appreciation to those Members who had served on the Board of Directors including Mrs. Archie and Vice-Mayor Oakes.

AUTHORIZE SUBMISSION OF FY 2010 APPLICATION TOBACCO COMMISSION

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2009-08.12

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A RESOLUTION AUTHORIZING THE SUBMISSION OF A FISCAL YEAR 2010 APPLICATION TO THE TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION FOR THE CITY OF DANVILLE, VIRGINIA.

The Motion was seconded by Council Member Shanks 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 commented they were happy to see homes in and around the Ross Street Historic District being renovated and sold. They expressed appreciation to Dianne Morris and the Community Development staff for the outstanding work they have done on these projects.

Mr. Luther asked City Manager Lacy to provide current policy information concerning individuals and groups who wished to use the City's public parks for various events. He recalled that he was saddened to hear sixteen young people were stung by yellow jackets during an event at Ballou Park today. Mr. Luther stated he felt there should be a clear policy that applied to all City properties so there would be no misunderstanding should there be future similar occurrences.

Mr. Shanks announced a fundraiser would be held on Saturday, August 22 at the Community Market benefiting the Free Clinic.

The Meeting adjourned at 7:31 P.M.

MAYOR

CITY CLERK

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