

Galax City Council
Minutes
May 22, 2006

The Galax City Council convened in regular session on May 22, 2006, at 7:30pm in the courtroom of the WHS Public Safety Building. The meeting was called to order by Mayor Mitchell with all councilpersons being present and they are as listed: Robert Lazo, Robert Kirby, Sharon Plichta, C. M. Mitchell, Willie Greene, George Valdez and Helen Kyle.

Mayor Mitchell prayed the opening prayer, which was followed by the Pledge of Allegiance.

Councilwoman Plichta motioned to dispense with reading the minutes of the last meeting and to approve them as written. Councilman Kirby seconded the motion and it was unanimously approved.

This was the date and time duly advertised for a public hearing to receive comments on the proposed 2006-07 City Budget in the amount of \$16,212,029. Mayor Mitchell declared the hearing open and called for comments. No comments were received and the hearing was declared closed.

Councilman Kirby motioned that an additional \$5,000 be added to the fire department's 2006-07 budget to be used for uniforms and other personal items. The total for the fire department budget will be \$264,787.00. Councilman Valdez seconded the motion. There was a discussion as to where the additional \$5,000 would come from. Council members were advised that it would be added to the General Fund Reserve on the revenue side. Councilpersons Kirby, Lazo, Plichta, Mitchell, Greene and Valdez each offered a yea vote. Councilwoman Kyle was opposed to the motion.

City Manager Campbell discussed the purchase of the former bank building, on the corner of Main and Grayson Streets, from the Galax Historic Foundation. This building is to be used for the proposed Chestnut Creek School of the Arts. He advised that the purchase price is \$104,050, which is one half of the assessed value. Following a discussion, Councilman Greene motioned to accept the resolution authorizing the City to purchase the property from the Galax Historic Foundation Inc. Councilwoman Plichta offered a second to the motion and it was unanimously approved.

Councilman Greene motioned that the deed to the building be conveyed from the Galax Historic Foundation, Inc. to the City of Galax. Councilman Lazo seconded the motion. Councilpersons Lazo, Kirby, Plichta, Mitchell, Greene and Valdez offered a yea vote. Councilwoman Kyle opposed the motion.

Chief of Police Clark discussed the proposed Loitering Ordinance. This ordinance is allowed through Section 15.2-926 in the *Code of Virginia*. Councilman Greene motioned to accept the first reading of the proposed ordinance. Councilman Valdez seconded the

motion. Council members Lazo, Kirby, Plichta, Mitchell, Valdez and Greene each offered a ye a vote. The motion was opposed by Councilwoman Kyle.

Chief Clark discussed graffiti that might be linked to gang organization; however he advised that he believes that the organized effort to bring meth into the city poses a greater threat than gangs. He advised that the Police Department will be proactive in dealing with both areas of concern.

Councilman Lazo motioned to adopt the summer meeting schedule – June –September one meeting per month unless a called meeting is necessary and one meeting in October. The VML meeting will count for the second October meeting. Councilman Kirby seconded the motion and it was unanimously approved.

City Manager Campbell discussed the Tourism Conference to be held in Abingdon on June 12 and 13. It was unanimously decided to move Council's meeting date in June to the 26th so that members of Council and the City Manager can attend the conference.

Mr. Campbell also reminded Council of the conference for newly elected officers in July.

On a motion by Councilman Greene and a second by Councilman Valdez, Dr. Whartenby and Dr. Pryor were unanimously appointed to serve on the Social Services Advisory Board.

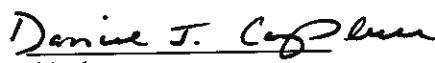
On a motion by Councilman Kirby, a second and unanimous approval, City Council convened an Executive Session as authorized in the *Code of Virginia* Section 2.2-3711(A)(5) – Discussion of a prospective business where no previous announcement has been made of the business's interest in locating in the city. James Rushing was invited to the session.

Members of Council returned to regular session on a motion by Councilman Valdez, a second by Councilman Lazo and unanimous approval.

The Certificate of Executive Session is made a part of these minutes.

With no further business to come before Council, the meeting was unanimously adjourned on a motion by Councilman Valdez.


Mayor


Clerk

CERTIFICATION RESOLUTION
CLOSED MEETING

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss a prospective business for the purpose of locating in City _____ in accordance with Section 2.2-3711(A)(5) of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, therefore be it resolved that City Council hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon motion by Mr. Valdez seconded by Dr. Lazo.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number (1) or Number (2)? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure.

Subject matter None

Departure None

Hearing no statement or statements, I call the question.

Ayes: Councilpersons Lazo, Kirby, Plichta, Mitchell, Greene, Valdez and Kyle

Nays: None

This Certification Resolution was adopted May 22, 2006.

Darlene T. Coleman

Clerk/City Manager

Certify



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