

GALAX CITY COUNCIL
Minutes
October 12, 2009

Galax City Council convened in regular session in City Council Chambers on October 12, 2009 at 7:30 pm.

At 7:30 Mayor Mitchell called the meeting to order with the following councilpersons present and they are as listed: Councilman Lazo, Councilman Garner, Councilwoman Plichta, Mayor Mitchell, Councilman Greene, Councilman Davis and Councilman Webb.

Vice-Mayor Greene prayed the opening prayer and the Pledge of Allegiance followed.

Councilman Webb motioned to approve the minutes of the regular meeting on September 14, 2009 and the minutes of the called meeting on September 17, 2009. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Ms. Chris Gilley from the Mount Rogers Planning Commission presented the City of Galax with a check in the amount of \$34,000.00 for the Fries Road Water System Improvement Project. This is a matching grant program through MRPDC and will allow the design of the Fries Road Water System, which is one of the system upgrades we are proposing as part the PER performed when the Hayzee Reservoir was closed. Funding for the match is within the current budget.

A public hearing was held to receive public comment on a zoning permit request by the Church of Jesus Christ of Latter Day Saints. The request is to rezone their property from R-2 Residential to B-2 General Business so a dentist office can open at this location. The property currently holds a conditional use permit for the church. Ron Catron, a member of the planning commission opened the discussion to the public for comment. After no comment was made, he declared the public hearing concluded. Members of the Planning Commission, Ruth Hall, and Dr. Jim Adams moved, and seconded to accept the zoning permit request. Councilman Greene moved to adopt the request. Councilwoman Plichta seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

A public comment session was held, as requested by Council, regarding a mural for the Jeff Matthews Museum. Two meetings were held prior to the session, with members of the Museum Board and neighbors concerning the mural, its size and appearance. The group agreed to a final mural design that is a panoramic view of the New River with visual elements representing items the museum board feels is important to the project. A large photo and sketch representation was available for the meeting. Mayor Mitchell opened the discussion, affording each person present a few minutes to voice their opinion or comment to Council. Mayor Mitchell thanked the Planning Commission, the Museum Board, and Mrs. Carpenter for meeting and working out a compromise. Following a discussion among Council, Councilwoman Plichta moved to accept the

proposed mural. Councilman Garner seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Keith Barker presented Council with a Sign Ordinance Revision regarding murals. A draft ordinance was presented to Council for their review. Essentially, the planning commission added "mural" to the definition of a sign and has further defined "mural" itself. Under the proposed changes, a mural is permitted in any district and the allowable size for a mural is that of a standard sign as permitted within that district. New sections have been added under each district however, permitting murals larger than the allowable square footage to be installed if a conditional use permit is applied for and approved. He stated that if council is satisfied with the ordinance revisions a joint public hearing with the Planning Commission in November will be advertised. Councilman Garner moved to proceed with the joint public hearing. Councilman Webb seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Keith Barker discussed a revision for Vehicle License fees. These changes will require City decals to be purchased in 2010. He stated that the language requiring decals for trailers, campers, etc., has been removed. He also explained that semi trailers would still require the decals. If council is satisfied with the ordinance revisions, we can advertise for a public hearing in November. Councilman Webb moved to proceed with the public hearing. Councilman Lazo seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Keith Barker updated Council on the stage at Felts Park. Council was presented a site plan showing the proposed stage 125' off of the front of the grandstands (110' off of the walking track). He explained that this location will accommodate all events held at the park this past year. The Galax Moose Lodge is satisfied with the location and has also agreed to pay for additional material costs to relocate the road. Also presented was a letter from the Galax Volunteer Fire Department expressing their concern over the possible loss of being able to hold a tractor pull event again and also their concern that the stage would limit future fund raising efforts. David Hankley, Chief of the Galax Volunteer Fire Department, discussed their concern regarding the location of the proposed the stage. Following a brief discussion on how the new stage would affect future events in the park, Councilman Garner moved to proceed with a public hearing as required by USDA/RD. Councilwoman Plictha seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Commissioner of Revenue David Hankley presented information regarding the Tax Relief Program for the Elderly and Disabled. This information was also presented a few months ago. He asked that Council consider establishing a flat maximum gross income and combined net worth rather than maintaining the sliding scale of eligibility, increase the net worth to \$75,000,

and increase the amount of relief from \$150.00 to \$200.00. Councilman Webb moved to proceed with the changes presented. Councilman Davis seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Keith Barker updated Council on the VRA Loan – Mill Creek Equalization Basin. At the September 14, 2009 meeting, Council approved the VRA ordinance to authorize the issuance of revenue and general obligation debt to the Virginia Resource Authority in an amount up to \$1.6 million for the purpose of public sewer improvements. The loan has been approved, however it is with the requirement that the Utility Funds must be fully self supported with the water/sewer rates the same year the first payment is due. Current trends projected by VRA show that it is anticipated the Utility Funds will still be in a deficit after this year and less in FY 2011, and show a positive cash flow in FY 2012. He explained that he anticipates that the first payment will be due in the FY 2012 budget. With Council approval, he asked to proceed with the completion of the loan paperwork and also give a notice to proceed to the contractors for the basin and related sewer line work. Also with Council's permission, he requested to advertise the Stanley/Shaw Street sewer project to see if there are sufficient funds in the loan to complete this project, or a portion of it. Councilman Greene moved to proceed with each request. Councilman Webb seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Mayor Mitchell proclaimed October 14, 2009 as Emergency Nurses Day and October 11-17, 2009, as Emergency Nurses Week.

Mayor Mitchell proclaimed October 19-23, 2009 as GED & Lifelong Learning Awareness Week.

Margo Crouse, member of the Executive Board of the Galax Chamber of Commerce approached Council with a request to close West Grayson Street at 1:00 pm on December 19, 2009 (Saturday) for a community Christmas gathering for the citizens. There will be free Christmas trees given away on a first come first serve basis. There will also be drawings for additional give-a-ways donated by local businesses. WXII-12 has agreed to be on hand for filming and to air what Galax is doing to give back and support our region. The GCC will be the sponsoring organization and provide insurance. Barricades will be put on the block on Friday afternoon and the Galax Police Department will place the barricades and close the road Saturday for the event. Councilman Davis moved to proceed with each request. Councilman Greene seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

Keith Barker explained the City of Galax will be the next locality to appoint a minority representative to the Mount Rogers Planning District Commission Board of Directors. Every two years a different locality appoints a minority representative per the Charter and By-Laws of the Commission. A minority representative on the Commission serves a term of four years each

and one is appointed every two years. The Charter states that at least two representatives of racial minorities will serve on the Commission at all times. The City's appointee will serve a term of four years beginning January 1, 2010 to December 31, 2014. The City will advertise this appointment for interested persons.

Keith Barker briefed Council on a Resolution supporting regional EMS Council Designation. On January 1, 2008, new rules and regulations went into effect requiring entities wishing to serve as a regional EMS council to obtain formal designation through the Department of Health. The Southwest Virginia EMS Council, Inc, a regional non-profit organization providing EMS system planning, coordination, and support services (including EMS testing and training, grant writing assistance, and instructor support) is applying for formal designation as a regional emergency medical services council for our region. He stated that we have been involved with this organization for a number of years and the GGEMS has received grants for ambulances and equipment from them also. He asked Council to consider appointing this organization as our regional EMS council. Ron Passmore, Chief of GGEMS, has reviewed the documents and encourages their consideration by council. Councilwoman Plichta moved to proceed with the resolution. Councilman Greene seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

A discussion was held regarding consideration of CLEO and District III alternates. Currently Bill Webb represents the City on the CLEO board and John Garner on District III. After a brief discussion, Bill Webb volunteered as an alternate to the District III Board. As in the past, the position of City Manager will be appointed will be the alternate for CLEO. Councilwoman Plichta moved to proceed with the appointments. Councilman Davis seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.


Keith Barker asked Council to set the Fall Leaf Pickup beginning date. Tentatively, the fall leaf pickup is set as November 30, the first Monday after Thanksgiving. It was decided that the pickup be set for the week of November 16, 2009. Councilman Davis moved to proceed with the dates. Councilwoman Plichta seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

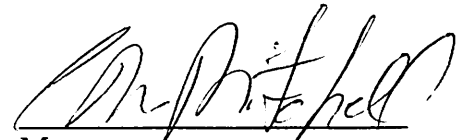
Ms. Kimberly Price of "Friends of the Animal Shelter" presented Council with the idea of forming a task force to consider improving the animal shelter we have, to include advertising and other initiatives to assist in adopting more animals. Mayor Mitchell informed her that the animal shelter in Galax was a regional shelter, to include the counties of Carroll and Grayson, and in order to be successful both counties would need to agree to the regional taskforce. She stated that she would approach both Carroll and Grayson County with the same request. Councilman Lazo agreed that Galax should participate with the idea of starting the task force and working with the other counties. Mayor Mitchell asked Keith Barker to make both county administrators

aware that Galax has agreed to the idea. Councilman Lazo and Chuck Riedhammer were recommended to serve as representatives on the task force. Councilman Garner moved to proceed with the task force. Councilman Davis seconded the motion, and it was unanimously approved by the following votes: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.

At 9:50 p.m., motion was to enter into closed session under Virginia Code 2.2-3711 a(7) for the purpose of §2.2-3711 A.5 of the *Code of Virginia* (Business and Industry Development) and § 2.2-3711 A.1 of the *Code of Virginia* (Personnel Matter).

At 10:15 p.m., Council reconvened in open session. Mayor Mitchell certified that no items other than those allowed under the cited Virginia Code section was discussed and no action taken, with the following affirmation: Councilman Lazo-yea, Councilman Plichta-yea, Councilman Garner-yea, Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Davis-yea, and Councilman Webb-yea.


Clerk


Mayor