

\

GALAX CITY COUNCIL
Minutes
May 14, 2001

The Galax City Council convened in regular session in the courtroom of the WHS Public Safety Building on May 14, 2001. The meeting was called to order at 7:35pm with the following councilmen present and they are as listed: C. M. Mitchell, Glenn Wilson, Odell Hamden, Van McCarter, Willie Greene and Johnny Lemons.

Councilman Wilson motioned to dispense with reading the minutes of the last meeting and to approve them as distributed. Councilman Hamden offered a second to the motion and it was unanimously approved.

Police Chief Melton was presented a Certificate of Accreditation for the Galax Police Department. Representatives from the Virginia Law Enforcement Accreditation Board in Richmond made the presentation. This is a distinction achieved by only 29 other localities in the Commonwealth.

This was the date and time advertised for a joint public hearing between Galax City Council and the Planning Commission. The purpose of the hearing was to receive public comments on three different requests.

1. The Trenton Huffman request to change the zoning of a defined parcel off of Cranberry Road from R-2 to B-2 to allow for the construction of a mini-storage unit under a Conditional Use Permit. No comments were made. Planning Commission member Roger Martin motioned to approve the change from R-2 to B-2. Jim Adams made a second to the motion and it was approved by the following Planning Commission members: Dan Rector, Roger Martin, Jim Adams, Ron Catron and Anne Vaughan. C. M. Mitchell abstained.

Councilman Wilson motioned to approve the zoning change request as recommended by the Planning Commission. Councilman McCarter seconded the motion which was unanimously approved.

Planning Commission member Roger Martin motioned to approve the Conditional Use Permit with a review in one year. Mr. Rector offered a second to the motion and it was unanimously approved.

Councilman McCarter motioned to accept the Planning Commission's approval of the Conditional Use Permit. Councilman Wilson seconded the motion and it was unanimously approved.

2. George and Janie Harper of 206 Calhoun Street had requested that their property be rezoned from R-2 to B-2 so that they can continue to operate a day care business. Mr. Harper advised that the day care business is how his wife makes a living. No other comments were heard.

3. The Planning Commission had been asked to consider a request from Floyd Dodge to rezone a portion of the backside of their property at 1007 E. Stuart Drive from R-2 to B-2. Mr. Floyd explained that he needed this change to keep his business in compliance with the zoning. Two men who live on King Arthur Court in the Taylorwood section behind the business each voiced their concerns about noise and bright lights. John Adams from Adams-Heath Engineering firm offered comments on the buffered area. With no further comments, Planning Commission chairman Catron advised that the Commission would meet and have a recommendation for items 2 and 3 at the next regularly scheduled council meeting.

This was the date and time duly advertised for a public hearing on a proposed bond issue. City Manager Campbell advised that the amount is \$1,265,000 and it will be used for improving the city's wastewater collection system. No comments were received. City Manager Campbell also requested approval of a resolution endorsing the bond issue. Councilman Wilson motioned to accept the resolution as presented. Councilman McCarter seconded the motion and it was unanimously approved.

Councilman Lemons motioned to approve next year's proposed school budget in the amount of \$8,981,988. Of that amount, \$3,056,563 will come from local funds. Councilman Greene seconded the motion and it was unanimously approved.

Council was advised that Bobby Horton's term on the WCC Board will be expiring and that a new appointment needs to be made. Councilman McCarter motioned to carry the appointment forward to the next meeting. The motion was seconded and unanimously approved.

Councilman McCarter motioned to defer an appointment to fill an unexpired term on the Planning Commission until the next meeting. Councilman Hamden seconded the motion and it was unanimously approved.

Councilman Lemons motioned to approve the deed transferring 0.2866 acres of land to Blevins Building Supply. The motion was seconded and unanimously approved.

Councilman Wilson motioned to accept the Planning Commission's recommendation that a conditional use permit with a review in one year and the stipulation that the appearance of the property be improved be granted to Claude King on Matthews Street. He plans to add a third upstairs apartment to his building. Councilman McCarter made a second to the motion and it was unanimously approved.

Councilman McCarter motioned to advertise the city's proposed 2001-2002 budget. Councilman Hamden seconded the motion and it was unanimously approved.

Carolyn McCorkindale outlined the Regional Business Incubator program citing the advantages of the program.

Frank Hampton, downtown businessman, gave a lengthy presentation on issues that are causing concern among the downtown businesses.

Linda Galyean, Sharon Higgins Plichta, Paul Kapp, George Valdez and Alan Dickerson each addressed Council with comments relating to an appointment to City Council to fill an unexpired term.

On a motion by Councilman Wilson and unanimous approval, the regularly scheduled council meeting for May 28 was rescheduled for May 30. This action was taken because the meeting date fell on the observance of Memorial Day.

At 9:10pm Councilman Wilson motioned to go into executive session as authorized in the Code of Virginia Section 2.1-344(A)(1) to discuss a city council appointment. The motion was seconded and unanimously approved.

At 9:45pm Councilman Wilson motioned to return to regular session. Councilman Hamden seconded the motion and it was unanimously approved.

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

Councilman Hamden motioned to appoint George Valdez by acclamation to fill the unexpired term of the late Bill Dickerson. Councilman Lemons seconded the motion and it was unanimously approved. Mayor Mitchell thanked all of the candidates and encouraged them in future service and involvement with the city.

At 9:50pm Councilman McCarter motioned to go into executive session as authorized in the Code of Virginia Section 2.1-344(A)(7) for consultation with legal counsel pertaining to probable/actual litigation.

Councilman Wilson motioned to return to regular session. Councilman Hamden seconded the motion and it was unanimously approved.

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

The meeting was unanimously adjourned at 11:25pm on a motion by Councilman McCarter.

Denise J. Casper
Clerk

Ed Mitchell
Mayor



MOTION: Councilman McCarter

CODE SECTION: 2.1-344(A)(7)
Consultation with legal counsel

SECOND: Councilman Wilson

MEETING DATE: 5/14/2001

CERTIFICATE OF EXECUTIVE MEETING

WHEREAS, the City Council of Galax has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.1-344.1 of the Code of Virginia requires a certification by this Galax City Council that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Galax City Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Galax City Council.

VOTE

AYES: Councilmen Mitchell, Wilson, Hamden, McCarter, Greene, Lemons

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the Act should be described)

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

Danielle T. Campbell
Clerk of Galax City Council



MOTION: Councilman Wilson

CODE SECTION:2.1-344(A)(1)
To discuss City Council Apt.

SECOND: Councilman McCarter

MEETING DATE:5/14/2001

CERTIFICATE OF EXECUTIVE MEETING

WHEREAS, the City Council of Galax has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.1-344.1 of the Code of Virginia requires a certification by this Galax City Council that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Galax City Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Galax City Council.

VOTE

AYES: Councilmen Mitchell, Wilson, Hamden, McCarter, Greene and Lemons.

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the Act should be described)

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None


Clerk of Galax City Council



11/15