

# GALAX CITY COUNCIL

## Minutes

November 14, 2011

Galax City Council convened in regular session in City Council Chambers on November 14, 2011 at 7:30 pm.

At 7:30 p.m. Mayor Mitchell called the meeting to order with the following council persons present and they are as listed: Councilwoman Crouse, Councilman Garner, Councilman Lazo, Councilman Webb and Vice-Mayor Greene. Councilwoman Plichta was absent.

Councilman Webb prayed the opening prayer and led the Pledge of Allegiance.

Councilman Webb motioned to approve the minutes of the regular meeting on October 10, 2011. Councilwoman Crouse seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, Councilman Lazo – yea.

Ms. Bonnie Harmon of Kenbrook Drive has requested to be placed on the agenda. She stated she has no new information at this time regarding her storm damage.

Keith Barker provided an update on the stormwater system review of Kenbrook Drive. He met with the City Engineer and Public Works Director to develop a plan of action in regards to this issue. The City Engineer is currently soliciting information from the regional airport and water treatment plant so that an accurate idea of the rainfall event that triggered the high water throughout the City can be determined. Information is also being compared to rainfall events over the past number of years and the city's annual rainfall totals to see how this compares in relation. Public Works was directed to assess the current system of ditches and pipes in place along Fries Road and Kenbrook Drive; both to look for any possible blockages in the ditchlines and pipes and to assess if any ditches can be diverted to another possible outlet or drainage area. He also asked Kevin Heath of Adams Heath Engineering to also assist in an assessment of this area, both to determine if the storm water system that is in place met/meets VDOT standards for a typical rainfall event and what type of system might be required for the larger type events such as on September 5&6. Staff has been able to retrieve part of the data and perform the inspections, and has worked with Adams Heath to compile the information and to assess the storm water system in this area. Kevin Heath, from Adams-Heath Engineering provided council with information and a written study on his findings. Councilman Webb asked if there was anything that could be done to prevent this flooding. Kevin stated that individual property owners could be assisted in lessening the amount of runoff from their property. Keith Barker offered to repair the berm at Greenhaven Road to redirect the flow of some of the water. Councilwoman Crouse asked if any other berms could be built in the area. Mr. Barker stated that there isn't enough room off the road to construct any. Councilman Garner mentioned that there is really no good or easy fix to the runoff problem. He asked that the city be aware of any grant opportunities that may arise and the most practical way right now is to do what has previously been mentioned. Councilman Webb asked Mrs. Harmon what her thoughts were on the findings. She stated that she would like to see the berm repaired and believed it would help once completed. Keith Barker stated that work on the repair would begin sometime in the next couple of weeks.

Council set this date as the public hearing date for consideration of revisions to City Code Section 153.36.G - Mandatory water connection ordinance. Mayor Mitchell opened the floor for public

comment. After hearing none he declared the public hearing closed. Councilman Lazo motioned to adopt the ordinance revision as recommended. Councilwoman Crouse seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

City Council set this date as the public hearing for ordinance revisions to City Code Section 44.7.H that would restrict the methods of connection between the public water supply and a private water supply. Mayor Mitchell opened the floor for public comment. After hearing none he declared the public hearing closed. Councilman Garner motioned to adopt the ordinance revision as recommended. Councilman Webb seconded the motion and it was unanimously approved by the following votes:, Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Ruby Williams of 301 Fox Run Drive spoke to council in regards to springs on her property. She stated that the lot she used to mow is now too wet due to the woods being dug up in the previous years. Keith Barker explained to council that Mrs. Williams contacted City staff approximately a year ago in reference to this problem. Her concerns have been that since staff completed a sewer project in that area approximately 2 years ago, springs are now evident on her property where they were not before. The sewer line was replaced in this area as part of ongoing maintenance to replace older lines that have Infiltration & Inflow (I&I) problem and what the city is obligated to do under our consent decree with DEQ. Staff visited the site and springs are evident in a number of spots around Mrs. Williams property (adjacent to the creek area) and exiting from the wooded area behind her neighbor's property. When the adjacent house was built (215 Prospect Ave), a number of underground springs were present and had to be addressed by the contractor in order to construct the basement. Mr. Baker explained that when speaking with Mrs. Williams last year and in April of this year, she declined to partner with the solution that was offered. Mr. George Surratt of 215 Prospect Avenue also spoke to council regarding Mrs. William's concern. He stated he understood the reason for the water on her property and asked that the city return to his property and bring up the part of the property now that it had time to settle. Mr. Barker stated he would send the public works department out to look at the area again to see if a ditch line could be created to carry some of the water off of Mrs. William's property.

Keith Barker informed council that the 2011 Farmers' Market Promotions Program Grants have been announced and Virginia received 6 awards totaling \$450,984. VDACS partnered with Virginia State University on the grant to establish resources, educational materials and a dedicated website for Farmers' Markets in Virginia. Galax applied for and received a \$34,130 grant. It will be used to re-energize the farmers market by integrating new market opportunities for farmers, initiating an aggressive marketing and promotional campaign, and securing adequate market management.

Dennis Lennert, GDA Director, presented the GDA request that the City Council approve the Christmas Parade on Main Street beginning at 7pm on Friday, December 2. He requested that Virginia, Madison and Webster Streets be blocked for parade line-up, as well as Main Street for the duration of the event. Assistance from the public works department and the Galax Police Department was requested. Councilwoman Crouse motioned to approve the Christmas parade request along with the street closures for the event. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene-yea,

Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Councilman Lazo requested that City Council allocate a portion of the budget to public art. Councilman Garner added that the intent of the money needed to be identified first before it could be budgeted.

Brenda Marrah informed council of the ArtPlace, which is a new collaboration of top national foundations, the National Endowment for the Arts and various federal agencies to accelerate creative placemaking across the U.S. She explained that ArtPlace believes that art, culture and creativity expressed powerfully through place can create vibrant communities, thus increasing the desire and the economic opportunity for people to thrive in place. Being perfectly aligned with the goals and objectives of this new funder, she requested permission to proceed on three letters of intent due Nov. 15 seeking funding for Galax projects. These projects are:

- **Rex Theater** renovations totaling \$798,800 for the basement; ceiling; façade; architect, engineer and preliminary reports; walls; seating; restrooms; asbestos issues; wiring; projection equipment preservation and display; air conditioning; and neon sign restoration. Permission is requested for the City to file a letter of intent to apply for this funding.
- **Public Art** project, initially for two projects, seeking \$15,000. The first is a structure for Galax City Public Schools, designed and built by students as an educational opportunity across disciplines. The second involves public art on private property. The project, such as a depiction of the “*History of Galax*,” will address issues and set parameters and guidelines for future public art projects. The Public Art project group has been led by the Tourism Office, who would administer the project. Permission is requested for the City to file a letter of intent to apply for this funding.
- **Woodwright Studio** for Chestnut Creek School of the Arts at 107 East Oldtown Street. CCSA asks for Council’s permission to proceed on a \$500,000 request for funding. Permission is further requested for the City to be named as a partner with Chestnut Creek School of the Arts in their letter of intent.

Councilman Lazo motioned to approve the request to proceed with the three letters of intent. Councilman Garner seconded the motion and it was unanimously approved by the following votes:, Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Charles Umberger came before council with information regarding the Language First sign language class he and his wife are beginning on December 5, 2011. He distributed flyers and encouraged businesses and individuals to take the class in hopes of broadening communications within the community.

Chief Clark presented the Emergency Operations Plan he has been working on in his role as the city’s Emergency Coordinator. The plan is based on the templates provided by VDEM and has been circulated to respective departments for review, input and corrections. It is based on the city’s current resources and reflects how the city would anticipate acting in a particular event.

Councilman Garner motioned to approve and accept the resolution and plan as presented.

Councilman Webb seconded the motion and it was unanimously approved by the following votes:

Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Keith Barker presented a resolution which will petition VDOT to add the newest portion of Carriage Drive to the city's secondary streets that receive maintenance funds. Councilwoman Crouse motioned to adopt the resolution as presented. Councilman Lazo seconded the motion and it was unanimously approved by the following votes:, Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Keith Barker requested that council appoint him as the Alternate for Judy Taylor-Gallimore on the Rooftop Board of Directors. According to the by-laws of the board, each representative may have an alternate appointed to attend and vote on items in their absence. Councilman Garner motioned to appoint Keith Barker as the city's alternate to the Rooftop Board of Directors. Councilwoman Crouse seconded the motion the motion and it was unanimously approved by the following votes:, Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, and Councilman Lazo – yea.

Keith Barker informed council that Brian McCann, Executive Director for Cascades Highlands, in an effort to move from public to public-private (with a emphasis on more private) support, requests help in legitimizing and explaining who Cascade Highlands is. Since public entities started the organization, they are requesting assistance in explaining this transition. He requested that a letter be included in a packet of material sent to businesses asking for their membership and financial support. The letter would not be sent by the City, but instead by Cascade Highlands as part of their marketing materials to private organizations. It would however have signatures on it as the local government group supporting the change in funding. Following a discussion, council concluded that a resolution be written in support of the change from a public funded to a private/public funded organization. The resolution will be presented for adoption at the next council meeting on November 28, 2011.

Keith Barker informed City Council that the health insurance renewal for employee health insurance was received and is significantly higher than budgeted. Staff is working with the city's consultant at this time to identify possible changes in the plan to reduce costs and recommendations will be brought to the next City Council meeting for approval.

At 9:00 p.m., a motion was made by Vice Mayor Greene to enter into closed session under **Personnel Matter, §2.2-3711 A.1 of the Code of Virginia** - Prospective or expansion of business or industry where no previous public announcement has been made. Councilman Garner seconded the motion.

At 9:40 p.m. Council reconvened in open session. Mayor Mitchell certified that no items other than those allowed under the cited Virginia Code section were discussed and no action taken, with the following affirmation: Mayor Mitchell-yea, Vice-Mayor Greene-yea, Councilman Garner –yea, Councilman Webb, Councilwoman Crouse – yea, Councilman Lazo – yea.



Clerk

  
Mayor