

GALAX CITY COUNCIL

Minutes

May 29, 2012

Galax City Council convened in regular session in City Council Chambers on May 29, 2012 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: Mayor Mitchell, Vice-Mayor Greene, Councilman Garner, Councilwoman Councilman Webb, Councilwoman Crouse, Councilwoman Plichta, and Councilman Lazo.

Councilwoman Plichta prayed the opening prayer and led the Pledge of Allegiance.

Councilman Webb motioned to approve the minutes of the regular meeting on May 14, 2012. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta- yea, and Councilman Lazo–yea.

This was the date set by City Council to hold a public hearing for the FY2013 budget. The proposed General Fund Budget is \$15,841,823 and the total Utility fund Budget is \$ 2,709,400. The proposed tax rates are:

- Real Estate - \$0.67 per \$100 (currently \$0.62 per \$100)
- Personal Property - \$2.25 per \$100 (currently \$1.68 per \$100)
- Machinery & Tools - \$1.50 per \$100 (currently \$1.42 per \$100)
- Meals Tax – 7.5% (currently 5%)
- Lodging Tax – 8% (currently 5%)

Mayor Mitchell opened the hearing for public comment. After hearing no comments, Mayor Mitchell closed the public hearing.

This was the date set by City Council to hold a public hearing for the FY2013 Galax City Schools Budget. The total school budget is \$13,490,025 of which \$ 4,366,385 is local funds (including debt service). City Council was asked to consider approving and appropriating the FY2013 Galax City Schools Budget so the school system can issue employee contracts to teachers. Mayor Mitchell opened the hearing for public comment. After hearing no comments, Mayor Mitchell closed the public hearing. Councilwoman Plichta motioned to approve and appropriate the FY2013 Galax City School Budget. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta-yea, and Councilman Lazo–yea.

This was the date set by City Council to hold a public hearing for revisions to the Meals Tax rate and ordinance as called out in Chapter 135-24 of the City Code. The proposed ordinance would change the meals tax rate from 5% to 7.5%. Mayor Mitchell opened the hearing for public comment. After hearing no comments, Mayor Mitchell closed the public hearing. Councilman Webb motioned to adopt the ordinance effective July 1, 2012. Councilman Garner seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor

Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta- yea, and Councilman Lazo–yea.

This was the date set by City Council to hold a public hearing for revisions to our lodging tax rate and ordinance as called out in Chapter 135-51 of the City Code. The proposed ordinance would change the meals tax rate from 5% to 8%. Mayor Mitchell opened the hearing for public comment. After hearing no comments, Mayor Mitchell closed the public hearing. Councilman Webb motioned to adopt the ordinance effective July 1, 2012. Councilman Lazo seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta- yea, and Councilman Lazo–yea.

This was the date set by City Council to hold a public hearing for revisions to the Emergency Well Connection Ordinance as called out in Chapters 44-7 and 1153-36 of the City Code. The changes are as follows:

- **44-7: Cross Connections—Backflow prevention:** The proposed amendment would permit connection of dry (or standby) emergency use non-potable well water systems for use of governmental facilities, public schools, and institutional healthcare facilities having inpatient residents, when such system is installed in the interest of protecting public health and safety, and subject to conditions approved by City Council.
- **1153-36. Water and Sewers—Mandatory water connection:** The proposed amendment would permit installation and use of dry (or standby) emergency use non-potable well water systems for governmental facilities, public schools, and institutional healthcare facilities having inpatient residents when installed in the interest of protecting public health and safety, and subject to conditions approved by City Council.

Mayor Mitchell opened the hearing for public comment. After hearing no comments, Mayor Mitchell closed the public hearing. Councilwoman Plichta motioned to approve the ordinance revisions to Sections 44-7 and 1153-36 of the City Code as presented. Councilwoman Crouse seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta- yea, and Councilman Lazo–yea.


Keith Barker informed of a request to consider approval of conditions for Twin County Regional Hospital's operation of an emergency use non-potable well water system as allowed by the exception statement within *Section 153-36 Mandatory Water Connection* ordinance. TCRH is an institutional healthcare facility having inpatient residents and therefore may request the well under the revised ordinance. The list of conditions are recommendations proposed as a means for City Code compliance monitoring and enforcement efforts by the Engineering Department in regard to the emergency use water well system installation proposed at TCRH. Councilman Lazo motioned to approve the TCRH request to install an emergency use non-potable well water system. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene –yea, Councilman Garner –yea, Councilwoman Councilman Webb – yea, Councilwoman Crouse – yea, Councilwoman Plichta- yea, and Councilman Lazo–yea.

Keith Barker asked council to appoint a council representative to the planning commission. The term is from July 1, 2012 to June 30, 2016. Councilwoman Crouse currently serves as the council representative to the Planning Commission. Vice Mayor Greene motioned to re appoint Councilwoman Crouse to the Planning Commission. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene -yea, Councilman Garner -yea, Councilwoman Councilman Webb - yea, Councilwoman Crouse - yea, Councilwoman Plichta- yea, and Councilman Lazo-yea.

Keith Barker informed council that staff received an SCC notice in regards to Frontier Natural Gas Virginia LLC filing to provide service in the region. He explained that Galax has been under a franchise type filing from Atmos Energy for a number of years; however natural gas was never developed as a utility in our region. With the expiration of the Atmos franchise in portions of Carroll County, Carroll began the process to become a provider in order to protect jobs and provide natural gas to Mohawk. With this recent SCC notice, Carroll County has asked the City to also consider opposing the Frontier Natural Gas Virginia LLC request. Mr. Barker explained that the benefit to the city's opposition is it would allow the city to potentially work jointly with Carroll County and perhaps become a natural gas provider in association with Carroll for the region. Additional benefits as he understands are the city would potentially be able to provide an extremely reasonable fuel cost for businesses/industries in the City and in the region. It would also potentially allow development of a new revenue source similar to a water/sewer enterprise fund. As there are no natural gas providers in the area, and even though Atmos still holds the city's franchise, the city attorney feels it is valid in arguing that the city is not displacing a current business. He explained that in order to proceed, City Council would need to direct the City Attorney to file a notice of participation with the State Corporation Commission opposing Frontier Natural Gas Virginia, LLC in obtaining a certificate of Public Need and Necessity and authorize the City Attorney to proceed as needed. If we want to take action on this item, we must file a notice by June 15, 2012.

Councilman Garner motioned to authorize the City Attorney to proceed with the filing as necessary. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice-Mayor Greene -yea, Councilman Garner -yea, Councilwoman Councilman Webb - yea, Councilwoman Crouse - yea, Councilwoman Plichta- yea, and Councilman Lazo-yea.

Council adjourned at 8:15 p.m.


Clerk


Mayor

