

**Galax City Council and  
Galax Planning Commission  
Joint Meeting Minutes  
October 19, 2023, 5:30 p.m.**

Galax City Council and the Galax Planning Commission convened in a special joint meeting to hold a public hearing for a rezoning request in the Galax City Council Chamber on October 19, 2023 at 5:30 p.m.

Mayor Greene called the joint public hearing with the Planning Commission to order, and declared the public hearing open. Brandon Boyles, Planning Commission Chair, confirmed a quorum of the Planning Commission. Mr. Boyles informed the applicant, Deiu Vo, requested that his property be rezoned and reclassified from R-2 Residential Medium-Density to the B-4 Central Business District, to allow for redevelopment of the property.

Gavin Blevins, Interim Zoning Administrator, explained the joint public hearing was being held pursuant to Code of VA § 15.2-2204 and § 15.2-2285 between the Galax City Council and Planning Commission to consider an ordinance amendment to the Galax Zoning District Map, part of Chapter 160. Mr. Blevins said there were multiple discussions with the applicant, who was seeking to relocate his business, a nail salon, from a rented location to this property in his ownership. He said the property #64-152, identified as 520 South Main Street, was located on a corner, between two streets and based on real world land uses was a transitional parcel between general commercial uses and residential uses. He said that public streets separate this parcel and was directly adjoining R-2 parcels, though currently used as general commercial extending off of the downtown and down main street, from other R-2 parcels which were mostly being utilized for typical residential purposes. Mr. Blevins said this appeared to be a transitional area of the city between commercial and residential uses, and fits the intent of the B-4 zone established more recently in the City's history. He said the B-4 Central Business district allowed for barber and beauty shops, which was not defined specifically in the City's ordinance, but was defined elsewhere. Though B-2 Business General also allowed for a personal service business (beauty, barber, etc.), Mr. Blevins said that B-4 appeared to fit better since it was added to the ordinance intended to be a transition zone. Mr. Brandon Boyles invited the applicant to speak. Deiu Vu used an interpreter to say how he appreciated everyone's consideration to change the zoning for his property. He said that it would make him very happy if the request was approved. Brandon Boyles, Chair asked for public comments opposing the rezoning of the property. With no further public comments made, Mayor Greene declared the public hearing closed, and asked for the recommendation from the Planning Committee.

***Dana Sworsy made the motion to approve the rezoning of 520 South Main Street from R-2 to B-4. Rita Reeves seconded the motion and was approved by unanimous votes of "yea" by the Planning Commission. Brandon Boyles informed Council that it was the recommendation from the Planning Committee to rezone 520 South Main Street from R-2 to B-4.***

***Councilman Larrowe made the motion to approve the recommendation from the Planning Commission. Councilwoman Ritchie seconded, and the motion was approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr, and Councilman Henck. Councilman Haynes was absent.***

The Planning Commission meeting was adjourned by Brandon Boyles at 6:10 p.m. Mayor Greene called for a recess. After the recess, the meeting was called to order and resumed. Mayor Greene asked to share a moment of silence for the Middle East.

Councilman Haynes joined the meeting.

Councilman Henck gave the opening prayer and led the Pledge of Allegiance.

## **SPECIAL ACTION**

- Twin County Chamber of Commerce Presentation of a “15 Under 40” award to Officer Megan Parks for her dedication to the city. Chamber President James Wagoner presented the award.
- Recognition of Retirees –
  - Communications Officer Cheryl M. Privett - 04/03/2005 – 10/31/2023 (18 years 6 months)
  - Recreation Facility Coordinator James “Hippie” Lawson - 03/08/1983 – 10/31/2023 (40 years 7 months)

## **APPROVAL OF MINUTES**

Regular Meeting of September 11, 2023

*Councilman Henck made the motion to approve the meeting minutes of September 11, 2023. Councilman Haynes seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

## **PUBLIC HEARING**

### **Public Hearing on Ordinance Authorizing Issuance of up to \$3,000,000 General Obligation and Water & Sewer Revenue Bond**

Mayor Greene announced this was the date and time set to hold a public hearing on the ordinance authorizing the issuance of up to \$3M of the general obligation and water & sewer revenue bond. Mayor Greene opened the floor for public comment. Mike Burnette, City Manager, informed Council the City had applied to the Virginia Department of Health for funding from the Virginia Water Supply Revolving Fund to pay for engineering and design costs of a large City water system capital improvement project. This project may include construction of a new water treatment plant, new storage tank, and renewal of several pump stations, among other water system related items. The funding package consisted of two components – a traditional loan in the amount of \$660,000 and what was referred to as a "principal forgiveness loan" in the amount of \$2,340,000. With no public comments made, Mayor Greene declared the public hearing closed.

## **OLD BUSINESS**

### **Consideration of Adoption of Ordinance Authorizing Issuance of up to \$3,000,000 General Obligation and Water and Sewer Revenue Bond**

Mayor Greene announced that at this time, Council needed to do more work and research. Councilman Larrowe made the motion to table the ordinance. Vice Mayor White seconded.

*The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

### **Video Recording of Council Meetings**

Mike Burnette informed Council of the numerous prior discussions regarding the video recording of Council meetings for live stream or upload to the internet for later viewing. He explained in addition to the political decision of whether to record these meetings, there was a significant legal, and potentially financial, component to the outcome. He discussed the legal liabilities and responsibilities by beginning the practice with the City Attorney. A discussion ensued regarding the cost of storing the significantly sized files in perpetuity, retention requirements, and the Library of Virginia’s requirements. Mr. Burnette said since Council used written minutes as the “official”

minutes, it looked like the video recordings could be deleted at any time should the cost of keeping them become too high. Councilman Haynes discussed different options that were available to use should Council decided to begin recording the meetings, particularly You Tube. Council discussed different concerns regarding recording the meetings.

***Councilman Haynes made the motion to move forward in the planning and research of livestreaming the council meetings. Councilman Henck seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck. There was a consensus to add the topic to the Council work session agenda.***

### **November Work Session**

Mike Burnette informed Council that the next work session would be held on November 9th has been set. A discussion ensued regarding the content of the meeting as well as the time and location. Mr. Burnette said that Council would be notified when the details were finalized.

### **Potential Zoning Ordinance Changes Regarding Nuisance Issues**

Mike Burnette gave a brief introduction regarding potential zoning ordinance changes. He discussed the ongoing issue of the complaints from the public regarding a property on Terrace Lane. The complaints regarded overgrown grass, thistles, and potentially inoperable vehicles. Staff had been able to work with the homeowner to address the grass issue, but questions remained the inoperable vehicles. The City Attorney’s office determined that, in their opinion, there were some inconsistencies and unclear portions of the Code that should be addressed by Council. Reid Broughton, a City Attorney discussed his findings and gave possible options to Council to consider. He also discussed the verbiage of an “open lot”, inoperable vehicles, and visibility issues. Councilman Larrowe suggested to put a committee together to meet within the next 30 days – made up of a couple of citizens, Council members, and Staff to discuss possible ordinance revisions addressing these issues to provide feedback to the City Attorney for a proposal for Council to consider.

***Councilman Larrowe made a motion for Mayor Greene to appoint a committee to work on recommendations to Staff and legal counsel regarding code changes that may need to be made. Councilman Haynes seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck. Councilman Larrowe and Vice Mayor White volunteered to serve on the nuisance issues committee. Councilman Haynes agreed to serve as an alternate.***

### **NEW BUSINESS**

#### **Request to Apply for a HEAT Grant to Potentially Purchase Flock Cameras**

Chief Dewitt Cooper informed Council of a request to approval to apply for a HEAT Grant (Help Eliminate Auto Theft) in the amount of \$12,500. Chief Cooper explained the GPD could apply for this grant to purchase equipment that would help drive down thefts of automobiles and vehicle parts. Chief Cooper said if approved, he would apply for the grant immediately and would investigate the Flock camera system and the associated cost. He would also work with the City Manager and the Public Service Committee on the project details.

***Vice Mayor White made the motion to approve the request for the submission of a HEAT grant in the amount of \$12,500 by the Galax Police Department. Councilman Henck seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***

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**Creation of Auxiliary Officers at Galax Police Department**

Chief Dewitt Cooper addressed Council to request the adoption of a resolution supporting the creation of Auxiliary Officers within the department. He explained this action would allow our medics who support and are part of the Special Emergency Response Team (S.E.R.T) to become auxiliary officers. The current issue was that, as medics, they were not allowed to carry weapons while responding to a situation along with our officers. The S.E.R.T responds to the most high-risk situations we have in Galax and has been often times called upon to be used in other jurisdictions. If, during one of these operations, a dangerous individual was to get by the officers on the inside of a building or the officers on the outside were hurt the medics have no way of protecting themselves. By bestowing Auxiliary Officer status, the chosen medics would be able to carry weapons and defend themselves in an emergency. Our medics currently work at GGEMS. Chief Cooper said in addition to bodily harm, these medics were placing themselves in danger with assurance they would be covered by our insurance. Per Chief Cooper’s correspondence with our insurer, VRSA required a resolution be adopted by the Council that authorizes Auxiliary Officers to be included as employees for the purposes of the Workers’ Compensation Act of the Commonwealth of Virginia and entitled to all coverage provided under said Act. Mr. Burnette noted the cost for all three officers would be \$600 per year.

*Councilman Larrowe made the motion to approve the updated policy as proposed and to adopt a resolution that authorizes Auxiliary Officers to be included as employees for the purposes of the Workers’ Compensation Act of the Commonwealth of Virginia and entitled to all coverage provided under said Act. Councilman Haynes seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

**Street Closing Request for Cruise Through with Toy Drive**

Mike Burnette informed Council of a street closure request by Kim Whitaker. The “cruise through” which would partner with the Shriners on this event to also hold a toy drive for the Shriners Children’s Hospital in Greenville, SC. The Cruise Through would be along Main Street. There would be a band on the stage on Grayson Street and would have boxes set up to drop off toys. Main Street would remain open and the request is to close West Grayson only. The event would be held Saturday, October 28<sup>th</sup> from 6pm to 10pm. If approved, the section of West Grayson Street would be closed from 5pm to 10pm that night. A discussion ensued regarding the details of past cruise throughs, the timing of requests, and possibly setting February and the date for approving yearly events.

*Councilman Henck made the motion to approve the closing of West Grayson on Saturday, October 28<sup>th</sup> from 5pm to 10pm. Vice Mayor White seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

#### **Galax Volunteer Fire Department Boiler Contract Award**

Mike Burnette informed Council that Staff prepared a Request for Proposals (RFP) in August 2023 for the procurement of a boiler replacement project at the Galax Volunteer Fire Department station house. The RFP solicited design/build proposals under a Goods & Services Contract that resulted in the receipt of two proposals from qualified contractors. The proposals received were in the amount of \$184,000 and \$153,000. Council was requested to approve an award for boiler replacement contract to Valley Boiler & Mechanical Inc., in the amount of \$153,000 for the replacement of the 40 plus year old boiler. In addition to this contract, the City would have responsibilities and additional costs to provide for the completion of the boiler project installation. These included asbestos testing with abatement, if necessary, relocation of the outdoor air intake ductwork for a heat pump serving the breakroom, interior pipe painting, installation of propane gas tanks and exterior fuel gas piping to the building. Mr. Burnette said the cost for this work was unknown at this time, but was anticipated to range from \$10,000 to \$20,000. He added that \$160,000 was in the budget for the project.

*Councilman Larrowe made the motion to approve the award of a boiler replacement contract to Valley Boiler & Mechanical, Inc in the amount of \$153,000. Councilman Henck seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

#### **CITIZEN COMMENTS**

- Shane Coomes – Discussed an ongoing zoning issue regarding R1/R2 housing on a street that he lives on. He said the City seemed to be headed in the right direction.
- Sarah Price – Thanked Mike Woodel (Public Works Director), and Bernie Rector (Retired Code Compliance Officer) for their efforts in cleaning up West Stuart Drive. Ms. Price revisited an ongoing issue on Terrace Lane.

#### **COMMUNICATIONS FROM CITY MANAGER, MAYOR, CITY COUNCIL, AND COUNCIL COMMITTEES**

##### **Mike Burnette**

- Project Light – Groundbreaking ceremony Oct. 27 at 1:00 p.m.
  - Construction to begin on Oct. 30.
- LEAP Grant - \$250K grant for lead pipe replacement
- Requested approval to schedule public hearing for budget amendments for November council meeting.
  - *Councilman Larrowe made the motion to approve the public hearing for budget amendments to be held at the November council meeting. Councilwoman Ritchie seconded. The motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

### **Councilman Warr**

- Inoperable vehicle at Woodworking Studio - parked for over a month, no tags.
- Four-hour parking – Oldtown Street
- Speed control signs working – need more
- Resurrect bathroom project downtown & discussion

### **Councilman Henck**

- Public Services Committee to meet 9/25/23
- Code Compliance Officer - Joey Davis appointed
- Radio Interoperability Project discussion
- Water Treatment Plant – Grant discussion, and emergency backup discussion plan with Counties.
- Historic District expansion discussion
- Virginia Main Street meeting – great meeting to move us forward
- Invitation – Fundraiser at Walmart for the Free Clinic on 11/4/23

### **Councilwoman Ritchie**

- Public Art Committee – Wrapping two more power boxes with art
- Quilt show
- Arts School – Halloween Arts Social planned 10/25/23

### **Vice Mayor White**

- SMART group visit – Special Military Active Recreation Traveler club Retired military travel group visited Galax
- Rooftop open house invitation 11/15/23 at 5:00 p.m.
- Veteran’s Day activities
- Walmart Grand Re-opening invitation 11/27/23

### **Councilman Haynes**

- Lowes Grant – Received \$20,000 for GFD fire prevention training house for children to learn fire prevention. Kathy Ward applied for the grant.
- VML Conference – Local Government – “real government” being face to face with citizens.
- Freedom – Land of individual freedoms
  - Patience needed as we go through checks and balances when dealing with complaints.
  - Respect individual freedoms which need protection while enforcing our ordinances.
  - Thanked citizens for attending the meeting

### **Councilman Larrowe**

- Excited for Strategic Planning – Work Session
- Asked Shane Coomes & Sarah Price to be on the Code Compliance Nuisance Committee. Both agreed to serve on the committee.

### **Mayor Greene**

- Civility Pledge discussed at the VML Conference
- Electric vehicle charging discussion
- Solar Panels
- UPS using drones in rural areas

## CLOSED SESSION

*Mayor Greene accepted a motion made by Councilwoman Ritchie at 8:05 p.m. to enter into closed session under the following Codes of Virginia:*

- Personnel Matter § 2.2-3711 A.1 of the *Code of Virginia*
- Real Property, § 2.2-3711 A.3 of the *Code of Virginia*
- Consultation with legal counsel, § 2.2-3711 A.7 of the *Code of Virginia*

*Vice Mayor White seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr, and Councilman Henck.*

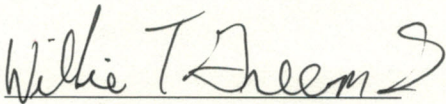
At 8:45 p.m. Council reconvened in open session. Mayor Greene certified that no items other than those allowed under the cited Virginia code section were discussed and no action was taken, with the following affirmation: Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, and Councilman Henck.

## ACTION FROM CLOSED SESSION

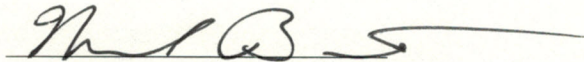
- Mayor Greene entertained a motion to approve the following board appointments:
  - Ms. Dana Sworsy to the MRPDC Executive Committee to serve as a representative from the Galax Planning Commission.
  - Ms. Jessica Coleman, Parent Representative, CPMT Board (replaces Kisha Johnson)
  - Ms. Renae Barbour, Private Provider Representative, CPMT Board (open seat)

*Councilman Haynes made the motion to approve the appointments. Vice Mayor White seconded. The motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilman Haynes, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr, and Councilman Henck.*

**ADJOURNMENT at 9:00 p.m.**



Mayor



Clerk

