

Galax City Council
Minutes
September 11, 2023

Galax City Council convened in regular session in City Council Chambers on September 11, 2023, at 6:00 p.m.

At 6:00 p.m. Mayor Greene called the meeting to order with the following Council persons present and they are as listed: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr, and Councilman Henck. Councilman Haynes was absent.

Councilwoman Ritchie gave the opening prayer and led the Pledge of Allegiance.

SPECIAL ACTION

- Council welcomed the New Twin County Regional Hospital CEO, Sudandra Ratnasamy, who spoke regarding the plans she and her team have for our community.
- Patti Price-Love, Galax Tourism Director, presented the 2023 Southwest Virginia Tourism Festival of the Year Award to the Galax Old Fiddler's Convention. The Galax Moose Lodge #733 has been hosting the Galax Old Fiddler's Convention since 1935.

APPROVAL OF MINUTES

Special Meeting 7-31-23

- *Councilman Henck made the motion to approve the special meeting minutes of July 31, 2023. Councilman Larrowe seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Regular Meeting 8-14-23

- *Councilman Warr made the motion to approve the meeting minutes of August 14, 2023. Vice Mayor White seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

OLD BUSINESS

Appointment of City Manager

Mayor Greene welcomed the new Galax City Manager, Mr. Michael Burnette, who introduced his wife Christa, and daughter Claire to Council. Mr. Gavin Blevins, who has been the Interim City Manager, explained with the offer and acceptance of the City Manager position, City Council needed to officially hire Mr. Michael Burnette and authorize him all the powers and authorities of the City Manager, including appointing him as the official Clerk of Council. Mr. Blevins said once this was done, everything would be official – as of Sept. 18th, 2023. The second request of Council related to the contract between City of Galax and MRPDC for interim city management services. Mr. Blevins explained the contract did not have an expiration date, but specified services provided between Council and MRPDC. He further explained since Mr. Burnette would be officially taking those powers and authorities, retaining MRPDC personnel under existing contract needed to be clarified. He added the contract stated that services would end when the City Council deemed, they were no longer necessary, which would allow you to extend services as long as desired, however, the City Council should address the chain-of-command.

- *Councilman Larrowe made the motion to appoint Mr. Michael Burnette as the City Manager, and to all boards and commissions that the City Manager serves on as representative of the City as of September 18, 2023; furthermore, Mr. Burnette would be appointed Clerk of the Council as well. Councilwoman Ritchie seconded the motion. Councilman Henck asked for clarification as his role on the DSS would be ending. He and Gavin Blevins were previously appointed to the Dept. of Social Services Board. He said with Mr. Burnette's appointment, there was no need to continue. He asked for it to be on record that Mr. Burnette would be the sole member on the DSS Board. Mr. Blevins explained that he could do that as a motion in after this business was finished. The motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*
- *Councilman Henck made the motion to authorize the City Manager to administer the contract with MRPDC for "Interim City Administration" and to direct the appointed MRPDC staff member assigned to Galax as allowable under the contract. Vice Mayor White seconded. The motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck*
- *Councilman Henck made the motion for his term serving on the Dept. of Social Services Board to end on September 18, 2023. Councilman Warr seconded. The motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Library Board Vacancy

Mayor Greene announced one letter of interest from Ms. Sylvia Richardson had been received for an anticipated vacancy on the library board effective 8-16-23 by Ms. Sarah Nielson. The unexpired term would be effective 8-16-23 to 6-30-26.

- *Councilman Henck made the motion to appoint Ms. Sylvia Richardson to fill the unexpired term of Sarah Nielson. Councilman Larrowe seconded. The motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Public Hearing; Community Development Block Grant, Business District Revitalization (Planning Grant)

Mayor Greene announced this was the date set for the public hearing for a Community Development Block Grant, Business District Revitalization (BDR) Planning Grant (\$50,000 available). He opened the floor for public comments. Gavin Blevins briefly spoke, informing Council that the intent of the grant was to assist appropriate localities in undertaking activities that were designed to identify opportunities to improve the economic and physical conditions within the community. He said that BDR planning would require greater local capacity and resources than other project planning grants, so localities would be required to identify how the various responsibilities would be handled and additional resources that can be contributed to the effort. A key outcome of the BDR planning process would be the development of an Economic Restructuring Plan that would identify the means by which the locality could implement economic improvement strategies that would help ensure the long-term sustainability of the community, particularly the downtown business district. At a minimum, target project areas must exhibit at least a 25 percent level of physical blight or at least a 50 percent vacancy rate. Communities not meeting this criterion may not be allowed to complete the planning grant process. With no further public comments made, Mayor Greene declared the public hearing closed.

- *Councilman Larrowe made the motion to direct the City Manager to send a letter to DHCD requesting planning grant fund for business district revitalization. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

NEW BUSINESS

PUBLIC HEARING; Ordinance Amending 153-59, Failure to Pay Water and Sewer

Mayor Greene announced this was the date set for the public hearing for an ordinance amendment regarding the City Code 153-59 Failure to Pay Water and Sewer. Mayor Greene opened the floor for public comments. Gavin Blevins informed Council that the proposed ordinance amendment would bring the City’s ordinance related to utility disconnections into compliance with what state code allows. With no further public comments made, Mayor Greene declared the public hearing closed.

- *Councilman Larrowe made the motion to adopt the proposed ordinance amendment as presented. Vice Mayor White seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

PUBLIC HEARING; Proposed Lease, 105 Rosenwald Felts Drive

Mayor Greene announced this was the date set for the public hearing regarding the proposed lease at 105 Rosenwald Felts Drive. Mayor Greene opened the floor for public comments. Gavin Blevins provided background information. Mr. Blevins said in compliance with state code, the proposed lease had been duly advertised and the City Council was conducting the required public hearing. He said the lease provided was fairly standard, but provided some more specific language than previous versions. The lease specifically excluded the community park from the leased portion to Rooftop, and had specifically included provisions for the City to use the space, as needed. He said the monthly rent remained the same, and the lease was for 1 year, with up to two additional renewals at one year each. With no further public comments made, Mayor Greene declared the public hearing closed.

- *Councilman Warr made the motion to approve the lease as presented. Councilman Henck seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Joint Resolution; Tobacco Region Revitalization Commission Funding for Project Light

Gavin Blevins informed Council of a request to approve a joint resolution which was previously approved by the IDA. The approval of the resolution would allow an application for additional funding from the TRRC in order to complete additional site improvements at the Project Light building/site. Mr. Blevins said if an additional match was required, we would seek additional guidance from City Council, but right now, the belief was that the previous IRF, ARC, private (God’s Storehouse) and public (City) funding appropriations should be able to be considered for the 50:50 match requirement. This funding is not being sought to replace the previously appropriated local funds.

- ***Councilwoman Ritchie made the motion to approve the resolution as presented. Councilman Larrowe seconded.***

Councilman Larrowe commented that it was his understanding that any subsequent grant applications would serve to reduce the financial commitment of the City (\$250K purchase, \$250K guarantee, and \$460K appropriated recently). Not to expand the scope of the project, but to reduce the City's investment in it. Jolena Young, Grants Administrator, explained that this particular grant cannot be used to supplant per her contact at the Tobacco Commission. Mrs. Young said that she was always and continually looking for opportunities for grants that can be used to offset the City's commitment to the project. She said that God's Storehouse was also working on fund raising efforts to raise at least \$25K per year.

- ***The motion was approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Warr and Councilman Henck. Councilman Larrowe voted "nay".***

Resolution; VDOT Economic Development Design-only Funding for Creekside Small Area Plan

Gavin Blevins informed Council of a request for the approval of a VDOT resolution that would serve to begin the application process to VDOT for design funding to begin plans for implementation of infrastructure needs in order to accomplish the streetscape necessary according to the draft Small Area Plan (SAP). He said though the SAP had not yet been approved by planning commission or City Council, or incorporated into the comprehensive plan, we were being proactive in seeking funding.

- ***Councilman Larrowe made the motion to adopt the proposed resolution in order to apply for VDOT design funds. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***

Resolution; VDOT Highway Safety Improvements Program Funding

Gavin Blevins informed Council of a request for the approval of a VDOT resolution for the Highway Safety Improvements Program. He said this was the authority to submit an application for HSIP funds to continue pedestrian safety infrastructure on Main Street in accordance with the City's Capital Improvements Plan. Mr. Blevins said this would specifically follow and compliment the TAP project that the City had going back out to bid for the Main Street – Center Street intersection.

- ***Councilman Larrowe made the motion to adopt the proposed resolution in order to apply for the HSIP funding. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***

Scheduling; October City Council Meeting Date

Gavin Blevins made a request of Council to reschedule the October City Council meeting. The request was due to three of the seven Council members, and the City Manager, who planned to attend the VML Conference scheduled Oct. 8-10. In addition, Mr. Blevins informed Council due to a subsequent item, a public hearing for the financing ordinance for the water treatment design, the alternate date would need to satisfy the legal advertising requirements of the state. A discussion ensued to determine the meeting date, October 19.

- *Vice Mayor White made the motion to set October 19 as the next City Council meeting date at 6 p.m. Councilman Henck seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Scheduling; Public Hearing for Re-zoning; Joint Meeting with the Planning Commission

Gavin Blevins informed Council of a request for a date to hold a joint public hearing with the Planning Commission to hear a re-zoning request. After a discussion ensued, the date of October 19 at 5:30 p.m. was chosen.

- *Vice Mayor White made the motion to hold the joint public hearing with the Planning Commission to hear a re-zoning request on October 19. Councilman Henck seconded. After an additional discussion, Vice Mayor White amended her motion to add the time of 5:30 p.m. to the meeting date. Councilman Henck seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Scheduling; Public Hearing for Financing; Water Treatment Plant Design, VDH FCAP Funds

Gavin Blevins informed Council of the City’s bond counsel setting up the advertising dates for the public hearing to adopt the financing ordinance for the FCAP loan for design of the new water treatment plant. He said that the public hearing needed to be held at the October meeting, and he explained the notice requirements. After a discussion, a date was set.

- *Vice Mayor White made the motion to hold the public hearing on October 19 for adoption of the financing ordinance for the Galax Water Treatment Plant. Councilman Larrowe seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.*

Meeting Recordings

Gavin Blevins informed Council of a request by Councilman Haynes to begin to video record official meetings, either livestream, or for watching at a later date. Councilman Haynes wasn’t present at this meeting to discuss further. Council had discussed off and on for quite a while. He had given his personal opinion to a few people on the subject. Mr. Blevins stated that the recordings add conveniences and liabilities. Most localities have started video recording and keeping that data local. It does fall into the Virginia Public Record Retention Act. He said it was a lot of data to keep. It can be fairly expensive to do if done in a professional setting. Ultimately up to the will of Council to determine if City resources will be expended for the set up and to follow through with the recordings, storing data, being responsible for the data/videos. He said he was referring to videos only, not livestreaming.

The City’s IT Administrator, Chris Young, spoke briefly to inform Council that two hours of video recording would take up approximately 10 GB which was an enormous amount of storage, and would be quite expensive. Mr. Young added if the videos were posted to You Tube, then the city would no longer be the owner of the recordings, only the recordings on file.

After a discussion ensued, Mr. Blevins said that an official report or opinion could be obtained from the City’s attorney if Council so desired. He further added that the recordings would be a large record that

would the city would be required to keep. It would not in any way replace the official written minutes which are the official documents recognized by the state. Having both would simply be multiple records of the same meeting which could be confusing.

Councilman Larrowe stated his personal opinion was to should defer until we were able to obtain an official report on the pros, cons, and costs to study before making a decision. Mayor Greene said that he had to be sold on it before he would agree, and suggested that some of the local videos of meetings should be viewed. He said some go well, and some don't. Mayor Greene said that he believed in transparency since these were public meetings, but he was also leery due to the negative events to occur with videos, particularly with the use of AI (artificial intelligence). He said it certainly needed to be considered when making a decision.

- ***Councilman Larrowe made the motion to obtain an official report on the pros, cons, and summary of costs before making a decision. Vice Mayor White seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***
- Councilman Henck commented that he had been a proponent of having the meetings recorded in some fashion. He asked about a timetable for the report. ***Councilman Larrowe amended his motion for an expected date of the report in 60 days. Vice Mayor White amended her second, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***

Employee Handbook Update

Gavin Blevins informed Council of a request to update information regarding law enforcement officers in the Employee Handbook. He said the Finance Department, Accounts Payable, Police Department, and Human Resources had been discussing ways to increase employee retention and reduce officer burnout due to scheduling, among other benefits, and had recommended changes to the handbook – (for police only) to transition from a 28-day work cycle to a 14-day work cycle for the purposes of calculating overtime pay. Mr. Blevins said that a 14-day work cycle was a more standard approach related to police and sheriff's departments, and it had a chance to *minimally* increase the amount of overtime paid by the City. This would require a slight change to the timesheets used by the police department, but would otherwise reduce payroll burden for the finance department and for the police department personnel. A discussed ensued.

- ***Councilman Larrowe made the motion to approve the recommended update to the Employee Handbook. Vice Mayor White seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Larrowe, Councilman Warr and Councilman Henck.***
- ***Councilman Warr made a motion of reconsideration on his vote on item #6 (Joint Resolution; Tobacco Region Revitalization Commission Funding for Project Light, and he asked for additional clarification.***

Councilman Henck read aloud from the rules from procedures which was adopted in 2010. He stated from section 5.9 - Reconsideration, an action may be reconsidered only upon a motion of a member voting with the prevailing side on the original vote.

A motion to reconsider may be made by a member voting on the losing side of the original vote after a 6-month period has elapsed. A motion to reconsider may be seconded by any member. A motion for reconsideration will be acted on only after following notice of not less than required by law.

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

Councilman Warr then asked if we receive the additional funding, can the additional funding go to any other source other than Project Light? Gavin Blevins said that other projects could be applied for, but a match would have to be provided and the project would have to fit within the program guidelines. He said that he believed that plenty of match had already been submitted for the requirements for this application. Councilman Henck asked if were not engaged with Project Light, would we be applying for this same funding for something else that we would lose the opportunity for. Jolena Young, Grants Administrator, explained that the grant was for economic & workforce development. She said we could apply for a different grant, but we would be obligated to provide match. Mrs. Young confirmed there would be no match for the referenced grant, if there were, then the application would be not be submitted if the funder requested additional matching funds. Councilman Henck asked if the funds that the IDA had approved for the Vaughan Restoration Group, be eligible for these funds. Mrs. Young said that she would investigate, but knew there would have to be confident of a return regarding the workforce benefits within a certain amount of time.

Councilman Warr stated that he would stand where he voted if the funds would not require a match.

Councilman Larrowe stated the reason he objected in the vote was not related to the mission of Project Light. He felt it was a great mission, but all in, he felt that 2.5M in costs was wildly out of proportion with regard to other efforts we were making with economic development. He said this was not a job creator, but a service activity for our citizens, which was important, but they can't be the only ones. He discussed Tobacco Commission funding to use. He felt there shouldn't be further money applied to this project, but instead a project to produce jobs. He requested staff to look for funding for other projects too.

CITIZEN COMMENTS

- Sarah Price
 - Thanked Council for their assistance with an ongoing issue in her neighborhood, but was upset about a referenced code.
 - Discussed issue on West Stuart and Cherry Street
- A discussion ensued among Council regarding code enforcement and offered suggestions for improvements.

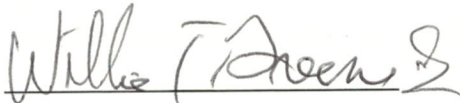
COMMUNICATIONS FROM CITY MANAGER, MAYOR, CITY COUNCIL, AND COUNCIL COMMITTEES

- Councilman Larrowe
 - Discussed an upcoming Business Support Day for large & small businesses.
- Vice Mayor White
 - Attended DHCD training for the Main Street Program
- Councilwoman Ritchie
 - Discussed the DHCD training and all the improvements needed
 - Discussed the tour taken at Wytheville Community College
- Councilman Henck
 - Discussed the City Manager's Report - Concerned about how much activity was going on with such an influx of activity. He strongly suggested that the City Manager hire an

- Assistant City Manager to help him.
- Condemned house on Ernie Pyle Street – lien released with Tom Hager’s help. Hoped improvements were on the way.
- Real Estate Tax Sale Discussion with Judy Taylor-Gallimore, Dir. of Finance.
- Compliance Officer Discussion – Appreciated Barry Moore’s initiative. There had been a lag, but the position will be filled and continued.
- Thanked Susan Carico, Human Resources Dir. for all her hard work in working with all of our employees.
- Historic District Expansion – Future business in the works.
- Requested our downtown sidewalks to be power washed by year end to improve the looks in front of businesses.
- Public Services Committee meeting reminder 9-25-23 at 4 p.m.
- Councilman Warr
 - Seconded Councilman Henck’s comments about the City Manager’s Report.
 - Mentioned the vacant property on N. Main St. as you turn off of E. Stuart Dr. – condition continues to deteriorate, and an embarrassment for visitors to see.
 - S. Main St. looking great with the remodeling of buildings.
 - Small Business Owners Focus Group
 - Virginia Main Street Program
 - Cruise In – Add to Oct. meeting
 - Tourism Meeting – Oct. 19 at 3:00 p.m.
- Mayor Greene
 - Attended Galax Garden Club celebration

Mayor Greene declared the Council meeting adjourned.

ADJOURNMENT at 7:57 p.m.



Mayor



Clerk