

**Galax City Council
Minutes
November 13, 2023**

Galax City Council convened in regular session in City Council Chambers on November 13, 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.

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

APPROVAL OF MINUTES

Regular Meeting 10-19-23

Councilman Warr made the motion to approve the regular meeting minutes of October 19, 2023. 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.

PUBLIC HEARING(S)

Public Hearing to Consider Amendments to the FY24 City Budget

Mayor Greene announced this was the date approved to hold a public hearing to consider FY2023-2024 budget amendments. Mayor Greene declared the meeting open. Michael Burnette spoke briefly, and asked Judy Taylor-Gallimore, Director of Finance to discuss the budget amendments. Ms. Taylor-Gallimore presented a list of proposed amendments to Council.

FY2023 General Fund	\$1,920.87
FY 2024 Storm Water Fund	\$90,000
FY 2024 Utility Fund	\$1,294,612

Ms. Megan Helmick spoke to Council regarding funding for the Galax Free Clinic. A discussion followed regarding the installation of a fence at the GPD firing range. With no further comments, Mayor Greene closed the public hearing.

Councilman Larrowe made the motion to approve the FY 2023/2024 budget amendments 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.

motion on the table

Councilman Henck made the motion to amend the previously approved budget amendment regarding the GPD firing range fence funding from \$125,000 to \$100,000. There was no second. The proposed amendment by Councilman Henck failed.

OLD BUSINESS

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

Mr. Stevie Steele with CHA was present to discuss the potential acceptance of funds for water system design and repairs. The summary of the discussion included the following information: The City was approved by the Virginia Department of Health for funding from the Virginia Water Supply Revolving Fund to pay for engineering and possibly construction of parts of a large City water system capital improvement project. The 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 would consist 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. The \$660,000 traditional loan would have to be paid back with interest at the annual rate of 3.25%, but the \$2,340,000 principal forgiveness amount would not have to be paid back

as long as those funds were spent on the project in accordance with approved plans. The principal forgiveness loan - for all intents and purposes, would be a grant. The funding program would be administered by the Virginia Resources Authority (VRA), and in order to participate the City would be required to enter into agreements with VRA and issue what was referred to as a general obligation and water and sewer revenue bond to VRA in the principal amount of \$660,000. In issuing the bond, the City promises to pay back the \$660,000 loan from funds available in the City's water and sewer enterprise fund and/or the City's general fund. Because the total funding package would be \$3,000,000, the Ordinance uses that dollar amount, but to be clear for this project the City would only have to pay back \$660,000 plus interest at 3.25%. This project was brought forward at the Council's October 19, 2023 and a public hearing was held as required. The project was brought back to this meeting.

Councilman Larrowe made the motion to approve the adoption of the ordinance authorizing the issuance of the General Obligation and Water and Sewer Revenue Bond. Councilman Warr 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.

Recap of November 9, 2023 Work Session

Michael Burnette reviewed the outcomes of the November 9, 2023 work session, including next steps which included:

- Open discussion of current efforts to revitalize the City as a whole
- Interest in increased recreational opportunities within the City
- Request for standing verbal and written reports to be presented monthly
- Increase parking, better utilize City properties, and status reports on issue requests
- Increase communication with citizens

Review of Small Area Plan Schedule

Mr. Gavin Blevins gave an update Council on the status of the Small Area Plan currently being considered by the Planning Commission. A proposed schedule for the completion of the various zoning activities was presented. In an effort to engage the public as early in the process as possible, the Planning Commission asked that Staff to announce there would be a facilitated public forum on December 5, 2023 hosted by the Planning Commission.

NEW BUSINESS

Discussion on Appointment to Fill the Council Vacancy

Michael Burnette announced that due to the resignation of Travis Haynes on November 8, 2023, Council would need to discuss the appointment of a new Councilperson to serve until the next General Election in November 2024 when the public would elect someone to serve out the remainder of Mr. Haynes' term (December 31, 2025). Mr. Burnette said Council must name a replacement for Mr. Haynes within forty-five (45) days from the date of resignation, and if Council would not or cannot make such an appointment within those forty-five (45) days, the Circuit Court would be empowered to do so. He said Council had fifteen (15) days to petition the Circuit Court to issue a writ of election to fill the vacancy at the next General Election. Mr. Burnette noted that the advertisement of the Council vacancy required letters of interest be due by Dec. 1, 2023.

Councilman Henck made the motion to authorize Staff to submit a petition to the Circuit Court to issue a writ of election. 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.

Request to Solicit Responses for Engineering Term Contracts

Michael Burnette discussed a request to solicit responses for term contracts for engineering services. He said in the past,

the contracts were for an initial two-year period with two potential extensions of two years each. Mr. Burnette explained the term contracts had now expired and Staff recommended moving to advertise for new term contracts as quickly as possible. He said term contracts allowed public bodies to “pre-approve” qualified firms so that the City could quickly award contracts up to a certain size without having to go through a lengthy procurement process. He said this allowed Staff to shave weeks or even months off the time it would take to do projects.

Vice Mayor White made the motion to approve the advertisement for letters of interest from engineers for potential term contracts. 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.

Request to Schedule Public Hearing on Stormwater Utility Fees

Ms. Adrienne Norman reviewed the current stormwater utility fees with Council, how they were calculated, and how citizens were currently charged. She said the stormwater utility fee was an imposed tax on all parcels within City limits, in which fee rates were based upon an equivalent residential unit (ERU). She said an ERU was approximated to 4,700 square feet of impervious area, which included all buildings, structures and other impervious surfaces which contribute to stormwater runoff. Ms. Norman said the City charged this fee to help defer some of the cost of building and maintaining the City’s stormwater management infrastructure. She said it had been noted that even parcels that remain entirely natural and produce no non-natural stormwater were charged the fee due to the definition and rate calculation chart. Ms. Norman requested that Council approve setting a public hearing date of December 11, 2023 to hear public comment regarding amending the stormwater utility fee ordinance.

Councilman Henck made the motion to hold a public hearing in order to potentially amend the stormwater utility fee ordinance to reflect that undeveloped parcels with zero (0) square footage of impervious surface and that do not contribute to runoff be exempt from the fee. 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.

VDOT-Related Project Updates

Ms. Adrienne Norman updated Council on approximately six transportation improvement projects being pursued by the City in partnership with the Virginia Department of Transportation. Each project was in a different phase of development, and a brief status update on each project was given to provide an overview of the current standing and expected progress to occur within the remainder of this fiscal year budget.

Ms. Norman also asked Council to approve a Notice to Award to the lowest bidder for the McArthur Street and West Stuart Drive Sidewalk Improvements Project. The City had officially received the additional funding that was requested in order to construct and replace the full stormwater pipe and the sidewalks as originally proposed. Ms. Norman said the sidewalk improvements would begin at Parkwood Drive and continue up McArthur Street to the stop sign where there was an added pedestrian crosswalk, and then the sidewalk improvements would continue past the nursing home and end at the block meeting Murphy Street.

Councilman Henck made the motion to approve the Notice to Award to the lowest bidder for the McArthur Street and West Stuart Drive Sidewalk Improvements Project. 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.

Downtown Planning and Revitalization Projects

Ms. Jolena Young reviewed a number of initiatives with Council including:

Request to issue RFP for Downtown Master Planning

The City of Galax was recently awarded a \$100,000 DHCD grant to fund a Downtown Master Plan and façade improvement program.

Vice Mayor White made the motion to allow the City Manager and the Grants Administrator to issue a Request for Proposals for a consultant to facilitate community listening sessions and develop a Master Plan for the Commercial Historic District with connectors to Creekside Small Area/New River State Park Trailhead and Felts Park. Councilman Warr 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.

Main Street Request for Council Representation and Involvement

Ms. Young announced the Mobilizing Main Street Task Force would issue an advertisement for Main Street Board Members (formerly the GDA).

Vice Mayor White made the motion to appoint Councilman Henck, with Councilman Warr as an alternate, to participate in the Main Street Board Member appointment process. This member would also participate as an ex officio member to the Main Street Board. 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.

Potential DHR Grant for Rex Theater

Ms. Young informed Council the goal of the subgrant program was to fund approximately three (3) historic building rehabilitation projects in the region at approximately \$200,000 each. Buildings eligible for these funds must be listed in, or eligible for listing in, the National Register of Historic Places and must be owned by a public entity or non-profit organization. She explained eligible subgrant projects would involve buildings with a public function, including, but not limited to, museums, theaters, and historic sites.

Councilman Larrowe made the motion to authorize Staff to develop an application for potential renovations to the Rex Theater. 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.

Request to Apply for VDOT SGR Paving Grant for East Stuart Drive

Ms. Young informed Council of a grant opportunity from VDOT that would provide funding for deteriorated pavement. She said this year’s list included two segments of Stuart Drive, and no match was required.

Councilman Warr made the motion to authorize Staff to develop and submit a SGR Paving application to VDOT. 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.

Request to Apply for DCR funding for Community Flood Preparedness

Ms. Young informed Council that the DCR had several programs to reduce flood impacts and improve resiliency. She said jurisdictions who do not participate in the National Flood Insurance Program (NFIP) were eligible to apply for a 90/10 grant to develop a resilience plan which was an important input into the NFIP strategy.

Councilman Larrowe made the motion to adopt a resolution ratifying approval to apply for the grant for \$180,000 and to provide a 10% match, estimated at \$20,000. Councilman Warr 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.

Application for Commercial Historic Registration Extension

Ms. Young made Council aware the consultant had submitted the request for a boundary increase. The current target was for a presentation at the March DHR Board Meeting.

Update on Rosenwald Felts Nomination

Ms. Young informed Council this week DHR made a request to Staff for additional edits and information on the nomination request. She added the nomination would not be on the December agenda. There was a discussion regarding the nomination on the Historic Registry.

Eastview Housing Rehabilitation

Ms. Young informed Council the following documents needed to be adopted to finalize the contract with the Department of Housing and Community Development for the Eastview Housing Neighborhood Revitalization Project:

- Council was asked to adopt the Eastview Neighborhood Revitalization Housing Project Phase III Program Design which provides policies and procedures for implementing the project objectives
- Council was asked to adopt the revised Bylaws for the Oversight Board. The revision removed individual names from Article 1 Section 4, and included them as an Exhibit.
- Council was asked to adopt the revised Grievance Procedure to reflect the change from Gavin Blevins to Michael Burnette as primary contact for grievances.
- Council was asked to approve for Michael Burnette to sign a Leverage Commitment confirming the City's contribution of \$87,625.00 of in-kind administrative and inspection services and invoiced construction-related soft costs, as well as an investor-owned housing commitment of \$10,000.00, for a total of \$97,625.00 in leverage funds.
- Council was asked to approve for Michael Burnette to sign an agreement with Mount Rogers Planning District Commission for Rehabilitation Specialist Services. The fees will be paid from the grant funding except if no contract is executed due to no fault of the Rehab Specialist. (rare occurrence)

Vice Mayor White made the motion to approve and adopt all of the documents to finalize the contract with the DHCD for the Eastview Housing Neighborhood Revitalization Project. 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.

CITIZEN COMMENTS

- Shane Coomes – Storm water utility fees discussion

COMMUNICATIONS

CITY MANAGER

Michael Burnette

- Burn ban in place
- Tourism update

CITY COUNCIL – COUNCIL COMMITTEES

Councilman Larrowe

- Nuisance code meeting review
- Council work session – objectives discussed
- Vacancies on various boards – after January 1, 2024
(BRCEDA, District Three, Regional Workforce Development Board)

Vice Mayor White

- Rooftop open house 11/14
- Downtown Christmas event – volunteers needed

Councilwoman Ritchie

- "Sampling Saturday" at Chapters had higher volume of visitors

Councilman Henck

- Attended Main Street meeting hosted by Jolena Young
- Main Street job position Main Street/Economic Dev. Dir. almost ready to advertise
- GHS juniors participating in the Main Street meetings, and sub-committees
- Public Services Committee – Discussed last meeting, next one 11/21 at 4 p.m. FLOCK Camera discussion
- Dental Clinic – Blessing to community, hoping to be in operation in January 2024
- Rosenwald Revamped group – Restated articles of incorporation filed and accepted, and had submitted their 501c3 application

Councilman Warr

- Discussed the swearing in of newly elected Council members
- Tree lighting – Dec. 1 at 5:45 p.m.

Mayor Greene

- Discussed of meetings he had attended in the last month locally and regionally.

CLOSED SESSION

Mayor Greene accepted a motion made by Vice Mayor White at 8:45 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*

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.

At 10:30 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, Councilwoman Ritchie, Councilman Larrowe, and Councilman Henck.

ACTION FROM CLOSED SESSION

Mayor Greene entertained a motion to approve the following board appointments:

Vice Mayor White made the motion to approve the following board appointments to the DSS CPMT Board, and Galax Public Art.

- Ms. Jessica Coleman, Parent Representative, to the CPMT Board (replaces Kisha Johnson)
- Ms. Renae Barbour, Private Provider Representative, CPMT Board (fills open seat)
- Ms. Katie Lipe to Galax Public Art

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.

At 10:45 p.m. Councilwoman Ritchie made the motion to adjourn. 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.

ADJOURNMENT at 10:45 p.m.


Mayor


Clerk