

Galax City Council
Minutes
July 8, 2024

Galax City Council convened in regular session in City Council Chambers on July 8, 2024, at 6:00 p.m.

At 6:00 p.m. Mayor Greene called the meeting to order with the following Council members present: Mayor Greene, Vice Mayor White, Councilwoman Ritchie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

PRAYER AND PLEDGE of ALLEGIANCE – Mayor Greene

SPECIAL RECOGNITION

Mayor Greene spoke honoring the lives and contributions of Sharon Plichta, former City Councilperson, who was instrumental along with her husband, Frank Plichta, in the planning and creation of the Blue Ridge Veterans Memorial. Dennis Jarvis II, Economic Development and Main Street Director, was also remembered for his love for the City and his efforts toward developing a better downtown.

OATHS OF HONOR – GALAX POLICE DEPARTMENT

Mayor Greene administered oaths of honor to newest Galax Police Department Officers, Shane Sizemore, and Nico Senica.

APPROVAL OF MINUTES

Regular Meeting of June 10, 2024

Councilman Warr made the motion to approve the minutes as presented. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

PUBLIC HEARING – FALSE ALARM ORDINANCE

Mayor Greene announced this was the date Council set to hold a public hearing to receive public comments on an ordinance regulating false alarm calls to the Galax Fire Department. City Manager Burnette explained the proposed ordinance would amend Chapter 107 of the City Code to require reimbursement of costs incurred in response to false alarms. The proposed ordinance would modify the existing City ordinance concerning intentional fire alarms to provide for reimbursement of the City’s costs in responding to intentionally-triggered false alarms. The proposed ordinance would also require fee free registration of businesses utilizing fire alarms, and provide service charges for false alarm responses to unregistered businesses, or registered businesses having four or more unintentionally-triggered false alarms in a calendar year. The proposed ordinance would not impose service charges even for a fourth or subsequent false alarm when the designated contact person for the registered company could be contacted and the response canceled before a full agency response was activated. Council discussed the proposed ordinance regarding their concerns. Mayor Greene opened the floor for public comments. No comments were made. Mayor Greene closed the public hearing.

Vice Mayor White made the motion to approve the False Alarm Ordinance as presented. Councilman Bowers seconded. Councilman Henck voiced concerns regarding his interpretation of the false alarm ordinance. After a short Council discussion, the motion was approved by the following votes of “yea”: Vice Mayor White, Councilwoman Ritchie, Councilman Warr, and Councilman Bowers. Mayor Greene abstained, and votes of “nay” were received by Councilman Henck and Councilwoman Burnett.

PUBLIC HEARING – TAX RELIEF FOR THE ELDERLY AND DISABLED

Mayor Greene announced this was the date Council set to hold a public hearing to receive public comments on an ordinance amending Sections 137-3 and 137-8 of Chapter 137 of the City Code. City Manager Burnette explained the proposed ordinance amendment would change the income limits and tax relief for the Elderly and Disabled Tax Relief program by raising maximum income limits for the program by \$5,000 per tier and the amount of tax relief be increased by \$100 per tier. The overall effect of the proposed ordinance would be to increase eligibility for elderly & disabled citizens and increase the amount of tax relief for which they would be eligible. Mayor Greene opened the floor for public comments. No comments were made. Mayor Greene closed the public hearing.

Councilman Warr made the motion to approve the ordinance as presented. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

ADDITIONAL DEMAND-RESPONSE BUS SERVICE

Melanie Fleenor, Mountain Lynx Transit – District Three made a request of council to add an additional demand-response bus to the Galax service area. Recently, Galax bus drivers requested that District Three add an additional demand-response bus to their Monday-Friday service from 9 a.m. until 3 p.m. August 1 to October 31, 2024. Ms. Fleenor added that there were currently no fees to use the transit bus. She explained once they accumulate a couple of months’ worth of ridership data, they would either determine either that the additional bus was not needed, or make a formal request to the City Council to fund a portion of the cost of service of the additional demand-response bus, which should be approximately \$874 per month.

Councilwoman Burnett made the motion to approve the request as presented. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

OLD BUSINESS

Request for Public Hearing – Food Truck Temporary Business License

In May, Commissioner of Revenue, Rene Funk, discussed a proposal to implement a new Temporary Business License for food vendors (i.e. food trucks) doing business in the City, especially those that only operate in the City a few times per year. Ms. Funk explained that currently, a food vendor was required to have a business license to operate in the City at an annual cost of \$200. She explained for vendors that only come to one or two events in a given year, this requirement was costly and caused many vendors to decline to set up at events. Staff proposed to create a Temporary Business License for food vendors that would cost \$25 and would allow them to operate for up to seven (7) consecutive days. Each time they come to do business in the City, they would be required to get a new \$25 temporary permit. They would also have the option at any time to purchase the normal annual permit. The intent was that this change would encourage more food vendors to operate at our events and that this would, in turn, increase meals tax revenues. Council had previously agreed with this recommendation; however, a public hearing was required to make a change in the City ordinance. Council was asked to set a public hearing on this matter for the August 12 meeting. After a Council discussion, City Manager Burnette suggested changing some wording & definitions. He said if Council approved the current ordinance, we could continue issuing the \$25 temporary permits, then we could bring it back at the August meeting to revise wording after our attorney reviewed the ordinance, and hold the public hearing.

Councilman Warr made the motion to approve the Temporary Business License for food vendors as presented. Councilman Henck seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Vice Mayor White made the motion to approve the request to hold a public hearing on August 12 regarding the Temporary Business License for food vendors. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Proposed Changes to Local Peddler’s Permit

Commissioner of Revenue, Rene Funk, explained to Council she was seeing an increasing number of “pop-up” sellers of various merchandise in unapproved areas of the City, such as a yard sale on business properties. She discussed that local regulations can be murky regarding the wide variety of where and when people set up tents or booths to sell their wares. Many long-standing traditional pop-up vendors and even those vendors that set up at City-run events may be required to get a Peddler’s Permit for \$200 from the City. In the near future, Staff plans to discuss these findings and request input from Council prior to working with the City Attorney on possible recommended changes to the City ordinance. Ms. Funk requested to forward the issue to a committee to come up with a recommendation to Council.

Vice Mayor White made the motion to approve the request to defer the issue to the Tourism Committee, and forward their recommendation to the City Attorney for review before announcing their final recommendation. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

FY2025 Budget Appropriation

Each year, Council creates and approves a budget for the coming fiscal year. This year the City Budget was approved on May 13. After doing so, Council must then actually appropriate these funds so they can be spent. Director of Finance, Judy Taylor-Gallimore, made a request of Council to approve the appropriation of the FY2023 City Budget. She read aloud the following approved FY2025 Budget totals:

General Fund Budget \$28,959,526

Utility Fund Budget \$ 3,661,962

Storm Water Fund \$ 1,465,878

Councilwoman Ritchie made the motion to appropriate the FY2025 Budget as presented. Vice Mayor White seconded, and the motion was approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilwoman Burnett, and Councilman Bowers. Councilman Henck abstained due to a possible conflict.

Ms. Taylor-Gallimore made a request of Council to appropriate the FY2025 Galax City Schools Budget that was approved at the May 13, 2024 meeting. She read aloud the following FY2025 City Schools Budget totals:

General Operating Fund \$19,254,146

Cafeteria Fund \$ 1,598,815

Textbook Fund \$ 204,179

Councilman Warr made the motion to appropriate the FY2025 City Schools Budget as presented. Councilwoman Burnett seconded, and the motion was approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilwoman Burnett, and Councilman Bowers. Councilman Henck abstained due to a conflict citing VA Code: 2.2-3112 & 3115.

Publishing of Delinquent Taxes

Ms. Taylor-Gallimore made a request of Council to approve the publication in the local media of properties that were delinquent in paying real estate taxes as of June 30, 2024. This publication of delinquent taxes has been a regular occurrence that has been approved by Council in previous years.

Vice Mayor White made the motion to approve the publication of delinquent real estate taxes. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Request to approve Public

Ms. Taylor-Gallimore requested approval for a Public Hearing in August to revise the FY2024. She explained this was done every year after year end, to make revisions usually grant related.

Vice Mayor White made the motion to approved the request to hold a public hearing in August. Councilman Warr seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Rex Theater Operations and Booking Agreement

City Manager Burnette discussed the City’s taking over of operations of the Rex Theater and plans for upcoming programming as well as potential renovations to the facility. He explained as part of this action, the existing lease with Backroads Entertainment had been dissolved and replaced by a booking agreement that would allow Backroads Entertainment to continue holding some shows at the Rex while the City takes on the booking of a greater number and variety of performances.

It was noted that a proposed agreement with Backroads Entertainment had been reached and was given to Council for review. Free movies on Wednesday nights, a variety of music shows planned, and Blue Ridge Backroads will have two shows per month.

Councilman Henck made the motion to approve the proposed agreement with Blue Ridge Backroads. Councilman Warr seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Golf Carts on City Streets

City Manager Burnette explained that recently, inquiries had been made regarding the topic of allowing golf carts City-wide, lessening the restrictions. Councilman Warr suggested that we follow the state’s regulations which would allow City-wide use of golf carts on 25 mph streets and crossing at 35 mph controlled intersections.

Councilman Warr made a motion to assign the topic of changes to the golf cart policy to the Traffic Safety Committee who would then work to formulate a policy proposal for future Council consideration. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

NEW BUSINESS

Mount Rogers Planning District Commission Appointment

City Manager Burnette informed Council that Mayor Greene’s term on the Mount Rogers Planning District Commission expired on June 30, 2024. The PDC had requested that Council re-appoint Mayor Greene or appoint a new Councilperson to the seat. Mayor Greene indicated his willingness to be re-appointed. The appointment can be up to four years depending on Council’s decision.

Councilman Henck made the motion to re-appoint Mayor Greene to the MRPDC for a four year term beginning on July 1, 2024. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Parks and Recreation Sponsorship Policy

City Manager Burnette discussed sponsorship dollars that the Galax Parks and Recreation Department receives annually from businesses and organizations throughout the City which enables many sports and other events to occur at a minimal cost to City taxpayers. He further explained while the City was exceedingly grateful to these important donors, it was noted that an up-to-date sponsorship policy had not been adopted by Council. To ensure that sponsors of these offerings, especially those enjoyed by the City’s youth, reflected the accepted community standards of the local citizenry, Staff put together a proposed sponsorship policy to guide how the Parks and Recreation Department operates. The proposal was as follows:

SPONSORSHIP POLICY

- **PURPOSE:** 1) To outline the guidelines for entering into sponsorship agreements. 2) To recognize that sponsorships provide an effective means of generating new revenues and alternative resources to support recreation facilities and programs.
- This policy is not applicable to gifts, grants, or unsolicited donations in which no benefits are granted to the donor and where no business relationship exists.
- **POLICY:**
Sponsorships must support the mission and policies of Galax Parks and Recreation Department and not create conflicts of interest.
- The following criteria shall be considered in evaluating sponsorship proposals:
In general, businesses and organizations are eligible for sponsorships if they meet the following criteria:

- Sponsorships must be applied to the recreation department's programs or activities.
- Provides a positive and desirable image to the community.
- Sponsorship benefit value will be determined and correspond with the value of the sponsorship.

In general, businesses or organizations are not eligible for sponsorships if they relate to any of the following:

- Companies whose business is substantially derived from sales to only adults. This includes but is not limited to alcohol, tobacco, cannabis, gambling, and pornography.
- Organizations substantially geared towards political institutions, parties, or candidates.
- The sponsor's record of past involvement in the community is regarded as being in poor standing.

Vice Mayor White made the motion to approve the Galax Parks and Recreation Sponsorship Policy as presented. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Glade Village Mobile Home Park

Planning Director, Doug Williams discussed the addition of Lots 11 & 12 to the Glade Village Mobile Home Park. He presented an overview of a revised Zoning Application request submitted by Glade Village Mobile Home Park that was recently approved unanimously by the Planning Commission.

Councilman Warr made the motion to approve the zoning request as presented. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Discussion of Current Sign Ordinances

Planning Director, Doug Williams discussed issues with the current City sign ordinance. He explained that City departments had been having issues with various signage being put up around the City which doesn't comply with the current sign ordinance. He informed Council of the need for revisions to the ordinance that could be made that would be palatable to Council and the business community without sacrificing traffic safety and/or the City's streetscapes. He discussed the two main types of signs, permanent and portable.

Councilman Henck made the motion to refer the issue to the Planning Commission for further review. Vice Mayor White seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Various Grant Opportunities

Grants Administrator, Jolena Young discussed current potential grant opportunities and other items related to grant funding which included:

Mount Rogers Planning District – Grant Opportunity

The request involved the submission of one to two applications to the FY2025 Southwest Virginia Water and Wastewater Construction Grant Fund for construction and related costs of water and wastewater system and related facilities and an application for \$10,000 in planning and technical assistance for design of water or wastewater projects associated with Kipling Lane or the Vaughan Restoration project. Southwest Virginia Water and Wastewater Construction Grant would fund up to \$100,000 with no match required. One of the construction applications would request \$65,680 in equipment and services for upgrading the existing SCADA system phone line telemetry to unlicensed Ethernet radio communication to provide a fully functional telemetry and instrumentation system. There would be no match required.

Councilman Warr made the motion to approve the grant applications as presented. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Twin County Community Foundation Grant

The request was for approval to submit an application for \$10,000 for sound and/or lighting equipment for the Rex Theater. The City would pay the balance needed for the required equipment through general funds which may include grant funds from other sources.

Vice Mayor White made the motion to approve the application request as presented. Councilwoman Burnett seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

City of Galax/Downtown Galax Grows Agreement

Ms. Young explained the Advancing Main Street application process required a resolution/agreement between the 501(c)3 and the locality. The resolution was presented for the Council’s approval. Ms. Young stated the agreement would be brought back to the August meeting for approval.

Councilman Warr made the motion to approve the resolution as presented. Councilwoman Ritchie seconded, and the motion was unanimously approved by the following votes of “yea”: Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnett, and Councilman Bowers.

Get the Lead Out

Ms. Young informed Council the Environment Protection Agency (EPA) had offered free Technical Assistance (TA) related to the Get the Lead Out initiative. Staff had requested the TA and would be working with EPA and Virginia Department of Health – Office of Drinking Water (VDH-ODW) to scope the EPA involvement to complement the work underway by CHA through the VDH-ODW LEAP Grant program. She explained the 2021 Lead and Copper Rule Revisions (LCRR) required localities to submit an initial service line inventory by October 16, 2024 and ultimately work toward the goal of replacing 100% of the nation’s lead service lines.

CITIZEN COMMENTS (Limited to 3 minutes per speaker or 5 minutes per group)

Sandy Bryant from the Mount Rogers Community Services Board wanted to thank Council for their budget appropriation. FY2024 served over 10% of Galax citizens. They have purchased the Vaughan Offices Building on Glendale Road, and plan to expand by late spring 2025. They realized the need to be present in Galax along the transit bus line. A food pantry and clothes closet would be included.

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

City Manager Burnette

Thanked the Galax Fire Dept. for all their hard work on the past week for the Duck Race, July 4th Parade, Carnival, Fire Works and the fire fighters who help with the Oakland Ruritan’s Rodeo. They made the last week happy in Galax while serving the community as fire fighters.

Councilman Bowers

Thanked the Galax Fire Dept. for all their hard work. He noted the Rodeo was phenomenal.

Councilwoman Burnett

- Traffic Safety Committee
- Traffic concerns near the new Dollar Tree reviewed at the meeting and issues addressed
- Speed limit enforcement discussion
- GGEMS – 310 Calls, 10 calls per day, new ambulance and first response truck.
- Sold all Duck Race tickets.
- Recognized Mrs. Dawn Alouf who passed away.

Vice Mayor White

- Thanked Adrienne Norman for creating the video about the Downtown/Main Street/Center Street project. Need an update on final date.
- Free Movies at the Rex.

- Joint meeting with Mayor Greene and Vaughan Furn. Team, IDA, and Galax Development Association meeting. Galax Development Association was dissolved.
- Attended a meeting regarding New River Trail Head ranger's station project in their 10 year plan.

Councilman Henck

- Discussion regarding the development of language in our City Code for distancing drug rehabilitation facilities and our schools. There was a consensus to have Staff to have City Attorney to review the request.
- Public Services Committee meeting reminder
- There was a consensus to discuss the implementation of an ordinance regarding empty buildings downtown to fine excessively long vacant periods. City Manager Burnette recommended first sending to our attorney, and later to the Planning Commission to refine.
- Twin Co. Chamber of Commerce to hold an after hours at the Smoke house Restaurant.
- Small Business Development Center – April Collins, a great resource for small local businesses.
- Golf Course discussion, assisting in helping the course to grow.
- Request to not have a council meeting the week of Spring Break in 2025.

Councilman Warr

- ATM at Felts Park – a great resource
- Reminder of the Tourism/Downtown Committee meeting.

CLOSED SESSION

At 9:45 p.m., Mayor Greene stepped out for a moment. Vice Mayor White entertained a motion to enter into closed session.

Councilman Henck made the motion to enter into closed session in Accordance with Code of VA 2.2-3711:

- *(A)(1) Personnel Discussion of appointments to City Boards, Commissions, etc.*
- *(A)(3) Discussion of the acquisition of real property or the disposition of real property*
- *(A)(5) Prospective or expansion of business or industry where no previous public announcement has been made*

RETURN TO OPEN SESSION

At 10:00 p.m., by a motion by Councilwoman Ritchie, and seconded by Councilman Henck, Council reconvened in open session, with unanimous approval by all, 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 Richie, Councilman Warr, Councilman Henck, Councilwoman Burnette, and Councilman Bowers.

NO ACTION FROM CLOSED SESSION

At 10:02 p.m. Vice Mayor White made the motion to adjourn. Councilman Bowers seconded, and the motion was unanimously approved by the following votes of "yea": Mayor Greene, Vice Mayor White, Councilwoman Richie, Councilman Warr, Councilman Henck, Councilwoman Burnette, and Councilman Bowers.

ADJOURNMENT at 10:02 p.m.



Mayor



Clerk

