

GALAX CITY COUNCIL

Minutes

September 10, 2012

Galax City Council convened in regular session in City Council Chambers on September 10, 2012 at 7:30 pm.

At 7:30 p.m. Mayor Mitchell called the meeting to order with the following council persons present and they are as listed: Mayor Mitchell, Vice-Mayor Greene, Councilman Webb, Councilwoman Plichta, Councilwoman Crouse and Councilman Lazo. Councilman Garner was absent.

Vice-Mayor Greene prayed the opening prayer and led the Pledge of Allegiance.

Councilman Webb motioned to approve the minutes of the regular meeting on August 13, 2012. Vice-Mayor Greene seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

This was the date that was advertised for the public hearing regarding an ordinance that would require cleanup of properties used for the manufacture of methamphetamine. Jim Cornwell, City Attorney, has recommended that City Council consider the adoption of the ordinance. Keith Barker explained that the State of Virginia is currently passing costs associated with cleanup of methamphetamine labs over to localities, but passed new laws this year allowing a locality to pass these costs to the individual responsible for the lab. Mr. Cornwell recommended that the city take the following action:

- Adopt the ordinance.
- Adopt the resolution with enforcement policy in regards to Methamphetamine Labs and habitability under the Property Maintenance Code of the State of Virginia Uniform Statewide Building Code.

Mr. Barker explained that the intent of the ordinance and policy is two-fold – to reduce the potential for the City to cover these cleanup/remediation costs and to prevent a property from being put back into service until it is properly cleaned up. Mayor Mitchell opened the floor for comment. After hearing none, he stated the public hearing closed. Vice Mayor Greene motioned to adopt the ordinance as presented. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea

Vice Mayor Greene motioned to approve the policy as presented. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse - yea, and Councilman Lazo-yea.

This was the date that was advertised for the public hearing regarding the Galax Grayson EMS Building. Keith Barker informed council that GGEMS recently applied for and was awarded funding through MRPDC for capital improvements to the facility. While the City originally purchased the facility, GGEMS paid off the note to the City this past fiscal year but the city is still listed as the owners for insurance purposes. In order to secure the loan, council must hold the required public hearing to consider the granting of a Deed of Trust in Tax Map Numbers 55-83, 55-84, 55-85 and 55-86 to the Mount Rogers Planning District Commission or their designee to secure

a loan to Galax-Grayson Emergency Medical Services in the amount of \$125,000.00. GGEMS has the repayment of the loan in the budget and will be responsible for payments to MRPDC.

Councilwoman Plichta motioned to approve the issuance of the required Deed of Trust and to authorize the City Manager to complete any required documentation needed in order to close the loan. Councilwoman Crouse seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse-yea, and Councilman Lazo-yea

Keith Barker provided an update on the golf cart request that was brought at the last council meeting. Staff has contacted the Virginia Institute of Government and requested their assistance in obtaining information in regards to communities that have adopted golf cart usage ordinances. Staff has also looked at the city's current speed limits on various streets in town to see where 25, 35 and 45 MPH speed limits are posted. He asked that Council keep this item on the agenda as traffic data is developed in regards to traffic counts on some of the areas in question and look at other localities that have adopted similar ordinances. No action was required of City Council.

Keith Barker requested adoption of the following policies as the next step in getting under contract with DHCD on the Bottom Area Project. These policies are:

- **Members/Bylaws for the Oversight Board.** This is the board that will oversee and approve the housing and commercial rehab bids and projects. Proposed members are:
 - Keith Barker, City Manager, Grant Administrator/Project Manager
 - Brenda Marrah, City Grants Administrator, Assistant Project Manager
 - Susan Clark, Director, Department of Social Services, Housing Counselor
 - Rick Clark, Chief of Police, Housing Counselor
 - Joey Davis, City Building Inspector
 - Kelsey Adams, Community Representative

He asked that a council member be appointed to this board. Meetings will be held as the project progresses; however some meeting items will be approved through email in order to reduce the time at meetings. This board also handles complaints and grievances in regards to housing and commercial rehab projects. Councilwoman Plichta motioned to appoint Councilman Webb as the council representative to the board. Vice Mayor Greene seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea

- **Housing Rehabilitation Program Design** – These are the program guidelines used for the housing Rehab program.
- **Commercial Property Exterior Improvement Program Design** - These are the program guidelines that will be used for approval and the order of projects, how funds may be spent, repayment criteria, match criteria, etc.

City Council was asked to approve a resolution which adopts the Oversight Board, Housing Rehabilitation Program Design, Commercial Property Exterior Improvement Program Design, appropriates the awarded grant funds for the Bottom Area Project and authorizes the City Manager to sign all required grant documents. Councilman Webb motioned to approve the resolution as presented. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

Keith Barker informed council that this was the meeting date set for the Public Hearing to hear comments on the street closure request of John Garvey and Virgil Hancock on Parkwood Drive. The attorney for the applicants did not place the required advertisement and staff has not had additional contact in regards to requests regarding the sewer easement. He asked Council to keep this item on the agenda until the required advertisement is run and the easement issues are resolved. No action was required of City Council.

Tom Jones, Chairman of the Twin County Airport Commission appeared before council requesting that City Council adopt a resolution allowing them to apply for a loan through the Virginia Resource Authority for \$325,000 to secure the final funding needed for construction of the proposed terminal facility. He explained that this is part of the original list of projects presented by the TCAC last year. The original budget presented was for \$282,500 in funding for the terminal facility, however spending on the new hangers and commercial hanger facilities was below budget by a like amount. Yearly debt service for the hanger projects and terminal building is estimated at \$21,500 per locality prior to rent income. Keith Barker informed council the anticipated debt service has been budgeted in the FY2013 budget. City Council was asked to adopt the resolution as presented and authorize the City Manager and/or Mayor to complete any required documentation. Vice-Mayor Greene to adopt the resolution and authorize the City Manager and/or Mayor to complete any required documentation. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

Keith Barker informed council that the Galax Treatment Center of Galax dba Life Center of Galax, located at 112 Painter Street, has requested a conditional use permit that would allow the house located at 501 W. Oldtown Street (Tax Parcels 63-107,108) to be used for administrative office space serving the Life Center. The structure is located in an R-2 Medium Density Residential District which under Section 160-31.D permits hospitals as a conditional use. A public hearing was held by the Galax Planning Commission on September 5, 2012 at 6:30 PM. The recommendation from the Planning Commission was for City Council to approve the request as submitted. Councilman Lazo motioned to approve the request and recommended by the Planning Commission. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

Chris Shackelford and Brenda Marrah spoke to council regarding the ARC application being prepared for the CCSA Woodworking Studio that is proposed on W. Oldtown Street. They intend to seek ARC funds and match those with USDA RBEG funding, Tobacco Commission funding, and some local fundraising in order to construct a new facility and provide two years operational costs. City Council was asked to approve the resolution authorizing the application of the ARC Grant for the CCSA Woodworking Studio. Councilman Lazo motioned to approve the resolution as requested. Councilwoman Plichta seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb-yea, Councilwoman Plichta- yea, Councilwoman Crouse- yea, and Councilman Lazo-yea.

Keith Barker informed council that it is requested they consider accepting and approving the contract request from MRCSB for FY2013 to provide services to the citizens of Galax. This is their standard contract which has been adopted by the other communities in their service region. City Council was asked to approve the MRSCB Contract for FY2013 as presented. Councilwoman Plichta motioned to approve the contract as presented. Councilwoman Plichta motioned to approve

the resolution as requested. Councilwoman Crouse seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb-yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

Keith Barker informed council that Ms. Ruth Hall has tendered her resignation to the Galax Planning Commission as she has moved outside of the City limits. Her term expires 6/30/2015. Staff will place an ad seeking interest in the commission and the new appointee would fulfill the remainder of her term. No action was required of City Council at this time.

Keith Barker informed council that Chief Clark has obtained a permit to continue a deer harvest exercise in the City beginning in September through December. The city must reapply again in January 2013. Numerous requests have been received through the year to consider an Urban Archery Program. A number of urban localities approve such a program with criteria they mandate such as minimum tract sizes, requiring the use of hunting stands, requiring written approval of the land owner, restricting use near a residence, etc. Mr. Barker provided an attachment that included programs listed on the state website. City Council can take development of an urban archery program under consideration and direct staff to begin gathering information on such a program. Any program that is developed would not be in effect until sometime in 2013. City Council tabled this item for consideration and directed staff to begin gathering information on how to adopt a program.

Keith Barker informed council that Susan Clark, Director of Social Services, has expressed an interest in the City Manager being appointed the Community Policy and Management Team. Vice-Mayor Greene also sits on this board at this time but there is no restriction on appointing a City Council rep and a staff member. This board oversees some of the CSA funding and spending, programs that deal with youth, etc. City Council was asked to consider appointing the City Manager to the Community Policy and Management Team. Councilwoman Crouse motioned to appoint Keith Barker, City Manager to the CPMT. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb- yea, Councilwoman Plichta- yea, Councilwoman Crouse -yea, and Councilman Lazo-yea.

Keith Barker updated council on the traffic signal changes occurring on Jefferson St & Lafayette/Center Street. He stated staff is planning to begin removing the traffic signals along Jefferson St starting October 1, beginning at the intersection of Jefferson and Washington and moving south to the next intersection each following Monday during October. He has met with city staff and looked at each intersection and the following steps are being taken to help in public awareness through the change:

- Hang a 4-way STOP sign from the signal cables.
- Install new STOP signs at each corner.
- Repaint stop bars and curbs.
- Park a police car at the intersection.
- Make use of traffic barrels or cones as needed.
- Provide notice through our website, Channel 3, Nixle and press coverage through the Gazette.

For the intersection of Lafayette St and Center St, he stated that the installation of the traffic calming islands will begin the week of October 1. This will involve the cutouts of the asphalt, forming the islands, pouring concrete, etc. Staff may close off portions of Center St during the time employees are working in the street but work should be done within the week. Removal of

the lines in the street will occur in September and will be painted back when staff begins the painting in October. No action was required of City Council at this time.

Keith Barker updated council on the Virginia Department of Social services. Title IV-E VDSS in regards to his letter sent to the Governor in July. He and Susan Clark, Galax Social Services Director, are meeting with Jack Leddon, VDSS Director of the Division of Family Services, on October 18 when the VDSS holds its state meeting in Galax. No action was required of City Council at this time.

Brenda Marrah informed council that the City has received a \$3,000 grant award (\$1,000 per school) from Prevention Connections, a non-profit Virginia Foundation for Healthy Youth, to promote a Walk to School Day event on October 3, 2012. She is working with the three school Principals and Sgt. Brown to coordinate the event. She invited City Council to attend and participate in the October 3rd Walk to School Day event and also gave information regarding the Bike Rodeo that will be held on October 6. No action was required of City Council at this time.

Keith Barker shared economic impact data that was received from the Virginia Tourism Corporation showing the financial impact of tourism in Galax for 2011. Spending locally was in excess of \$15,000,000; 140 local jobs are related to tourism; and local and state tax revenue is estimated at over \$1,000,000. No action was required of City Council at this time.

Keith Barker presented a resolution prepared by the Virginia Municipal League asking Governor McDonnell to amend the State budget and restore funding during the 2013 General Assembly Session. Funding lost to Galax is \$ 59,218 in FY2012 and FY2013. Councilwoman Plichta motioned to approve the resolution. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb-yea, Councilwoman Plichta-yea, Councilwoman Crouse-yea, and Councilman Lazo-yea.

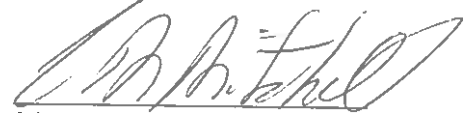
At 8:38 p.m., a motion was made by Vice Mayor Greene to enter into closed session under **Personnel Matter § 2.2-3711 A.1 of the Code of Virginia** - Candidates for employment; the assignment, appointment, promotion, performance, demotion, discipline, salaries, compensation, or resignation of employees, **Business and Industry Development, §2.2-3711 A.5 of the Code of Virginia** - Prospective or expansion of business or industry where no previous public announcement has been made, **Legal Council, §2.2-3711 A.7 of the Code of Virginia** - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where no previous public announcement has been made

At 9:05 p.m. Council reconvened in open session. Mayor Mitchell certified that no items other than those allowed under the cited Virginia Code section were discussed and no action taken, with the following affirmation: Mayor Mitchell-yea, Vice Mayor Greene-yea, Councilman Webb-yea, Councilwoman Plichta-yea, Councilwoman Crouse-yea, and Councilman Lazo-yea.

Council adjourned at 9:05 p.m.



Clerk


Mayor

