

GALAX CITY COUNCIL
Minutes
August 13 2007

The Galax City Council convened in its new Council Chambers in the City Municipal Building August 13, 2007 at 7:30 pm.

Mayor Mitchell extended a welcome to all and recognized former councilpersons in attendance and they include Mary Guynn, Glenn Wilson and Sharon Plichta.

The meeting was called to order by Mayor Mitchell with all councilpersons being present and they are as listed: Robert Lazo, Robert Kirby, John Garner, C. M. Mitchell, Willie Greene, Derrick Davis and Helen Kyle.

Councilman Garner prayed the opening prayer. The Pledge of Allegiance followed.

Councilman Garner motioned to approve the minutes of the July 9 meeting as written and to dispense with the reading of said minutes. Councilman Davis seconded the motion and it was unanimously approved.

This was the date and time set for a Public Hearing and First Reading to amend Section 160-11, Building Height Definition and Section 160-97 Maximum Building Height in B-2 Zone. Zoning Administrator Keith Barker outlined the amendment and advised that the Planning Commission recommends approval of the amendment.

Mayor Mitchell declared the public hearing open. Councilman Lazo commented that he felt that it is a good idea to raise the allowable height because a taller building leaves a smaller footprint; however a very tall building can block the view of the mountains. No other comments were received and the hearing was declared closed.

Councilman Lazo motioned to accept the first reading of the amendment to Section 160-11 and Section 160-97. Councilman Kirby offered a second to the motion and it was unanimously approved.

August 13, 2007 was the date and time set for a public hearing to consider a Conditional Use Permit Request from the Galax City Public Schools. The school system owns a house on MacArthur Street and they would like to use the house for office space. Superintendent Cook discuss the use of the building and advised that there will be three off street parking spaces and that no children will be on the premises. Following a discussion, the public hearing was declared closed.

Councilwoman Kyle motioned to accept the Planning Commission's recommendation and issue the Conditional Use Permit as requested. Councilman Greene seconded the motion and it was unanimously approved.

This date was set and duly advertised for a public hearing to consider a DHCD Community Block Grant for the Carroll-Grayson-Galax Regional Telecommunications Network Project-Phase I and approval of the Carroll-Grayson-Galax Broadband Deployment Initiative Resolution. Assistant City Manager Barker outlined the project, which would allow for the construction of a combination fiber and wireless broadband network for the region. Mr. Barker advised that the project was developed and endorsed by the Regional Industrial Facilities Authority. He further stated that each locality must hold a public hearing and adopt the plan in order for the project to move forward.

Adoption of the Plan will authorize city staff to make application to DHCD for a \$200,000 Local Innovation Grant that will be used to bring the fiber lines to downtown and connecting with the lines proposed for US 58 and a collocation facility that will be near the Public Safety Building.

Councilmen Davis, Kirby, Lazo and Mitchell each offered very positive comments on the vital importance of having Broadband availability.

With no further comments made, the Public Hearing was declared closed.

Councilwoman Kyle asked for clarification on a couple of points in the proposed Resolution that states that Carroll County, Grayson County and the City of Galax will create a regional broadband authority through and under the direction of the Carroll-Grayson-Galax Regional Industrial Facilities Authority. Following a discussion, Councilman Greene motioned to approve the Resolution as presented. Councilman Kirby seconded the motion and it was unanimously approved.

City Manager Holland discussed a contract for Project Management Services for the downtown Revitalization Project with K. W. Poore & Associates. He stated that on page 7 the contract time should be 24 months and not 30 months. He advised that the project cost is \$92,500. DHCD will fund \$70,000 and the City's match will be \$25,500. Councilman Davis motioned to approve the City Manager's recommendation. Councilman Greene seconded the motion and it was unanimously approved.

Mr. Cook provided an update on the high school renovation project and stated that construction is moving along well. Hopefully, the finish date will be October 1, 2008.

City Manager Holland requested permission to do an RFP for a consultant to develop an Information Technology Needs Assessment and Implementation Plan. Following a discussion, Councilman Greene motioned to approve the request. Councilwoman Kyle seconded the motion. Another discussion ensued which was followed by unanimous approval of the motion.

City Manager Holland discussed setting a policy that would allow Council appointed board and commission terms to expire on June 30 of odd years. Councilwoman Kyle

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motioned to adopt said policy. Councilman Kirby seconded the motion and it was unanimously approved.

On a motion by Councilman Garner and a second by Councilman Kirby, Mayor Mitchell and Vice Mayor Greene were unanimously approved to serve as the voting delegates at the VML. Mayor Mitchell will be the voting delegate and Vice Mayor Greene will be the alternate voting delegate.

Councilman Greene motioned to appoint Ed Hanks, Roger Neal and Nathan Smith to second terms on the IDA. The terms will expire June 30, 2009. Councilman Davis seconded the motion and it was unanimously approved.

There is a vacancy on the IDA. City Manager Holland will advertise for applicants.

August 27, 6pm was set for a Council work session to study garbage collection and rates and the use of tax credits for the bank building.

Councilman Greene motioned to set a public hearing for September 10, the next regularly scheduled Council meeting, to hear comments on an amendment to the Water and Sewer Use Ordinance. This amendment would change the method of calculating minimum bills for multiple connections. Councilman Davis seconded the motion and it was unanimously approved.

Councilman Davis motioned to set a public hearing for September 10, 2007 to apply to the Virginia Department of Housing and Community Development for an Enterprise Zone designation. Councilman Greene seconded the motion and it was unanimously approved. The present zone designation expires December 31, 2007.

Councilman Davis motioned to advertise a public hearing for September 10 to set a designated area in downtown as a conservation district. This designation is to assist in slum removal and blighting conditions and to allow the deployment of broadband fiber into the district through a Local Innovative Grant from DHCD. Councilwoman Kyle seconded the motion and it was unanimously approved.


Frank Caudell, a Galax resident, requested that Council try to bring another power company into the area and he also questioned why delinquent tax property had not be advertised and sold.

At 8:48 pm Councilwoman Kyle motioned to go into Executive Session **Code of Virginia** Section 2.2-3711 A.3 – acquisition of real property for public purpose. The motion received a second and unanimous approval.

At 9:30 pm Council reconvened in open session. A motion was made by Councilman Garner certifying that only those items allowed under the appropriate code section were discussed. The motion received a second and was passed unanimously. No further action was discussed.

At 9:30 pm a motion to adjourn was made by Councilman Lazo and passed unanimously.


Clerk


Mayor



CERTIFICATION RESOLUTION
CLOSED MEETING

WHEREAS, this Board convened in a closed meeting on this date pursuant to an affirmative recorded vote on the motion to close the meeting to discuss **acquisition of real property** for the purpose of public purpose in accordance with Section 2.2-3711(A)(3) of the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, therefore be it resolved that City Council hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.

Upon motion by Councilmember Kirby seconded by Councilmember Davis.

Before a vote is taken on this resolution, is there any member who believes that there was a departure from the requirements of number (1) or Number (2)? If so, identify yourself and state the substance of the matter and why in your judgment it was a departure.

Subject matter _____

Departure _____

Hearing no statement or statements, I call the question.

Ayes: Councilpersons Lazo, Kirby, Garner, Mitchell, Greene, Davis and Kyle

Nays: None

This Certification Resolution was adopted August 13, 2007.



Clerk/City Manager

