

Galax City Council  
Minutes  
December 9, 2013

Galax City Council convened in regular session in City Council Chambers on December 9, 2013 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 Garner, Councilman Webb, Councilwoman Plichta, and Councilman Lazo. Councilwoman Crouse was absent.

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

Councilman Webb made the motion to approve the minutes of the regular meeting on November 12, 2013. Vice Mayor Greene seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell – yea, Vice Mayor Greene – yea, Councilman Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

Police Chief Clark presented to Council the recommendations from the Traffic Safety Committee concerning the proposed golf cart ordinance. The recommendations included proceeding with the consideration of a golf cart ordinance which would allow golf carts on city streets as permitted under state law. Chief Clark told Council there would be restrictions on when carts could be operated, requirements for insurance and inspections of carts, permits for carts, requirements for a driver's license, and restrictions on underage children in carts. A copy of the state law and recommendations from the Committee were given to Council as well as a map showing the speed limits in the City and the single crossover point on E. Stuart or W. Stuart Drive. Councilwoman Plichta made the motion to consider the recommendations at the January 13<sup>th</sup> Council meeting. Councilman Garner seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell – yea, Vice Mayor Greene – yea, Councilman Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

Carolyn Howard, P.E., Draper-Aden & Associates, presented to Council an overview of the proposed stormwater ordinance, fee structure, and guidance documents. Ms. Howard reminded Council that the City of Galax is mandated to have a program in place by July 1, 2014 with an ordinance, staffing and funding plan, and guidance documents. She noted that DCR has extended the deadline to January 15, 2014 for submittal of the documents and May 15, 2014 for adoption of the ordinance. Ms. Howard noted that Council will be able to consider the proposed ordinance and make a decision at the January meeting in regards to submitting it for review. She also said that once it is submitted, we will still be able to amend the ordinance prior to final adoption.

No action was required of City Council.

Keith Barker, City Manager, informed Council that Mr. Byrd from Comcast was unable to attend this City Council meeting regarding the Comcast Decertification Process. He said that he was notified last minute that Comcast has now petitioned the FCC to consider decertifying our FCC rate control on cable television basic rates. No action is required of Council at this time.


Keith Barker reminded Council regarding the Virginia Local Disability Program that we opted out of the required VLDP that was to be offered through VRS based on the recommendation of our consultant Matthew Smith, Corporate Benefits Consultants. He said that Mr. Smith felt that the open market would provide a better rate rather than locking in at the rates offered through VRS. Also, Mr. Smith is recommending that we accept the policy offered by Standard Insurance through VACoRP. The rate will be stable for three (3) years and would allow us to solicit pricing as we continue the program. Mr. Barker also informed Council that a proposed sick leave policy for hybrid employees will be brought before City Council at the January meeting for consideration and approval. Vice Mayor Greene made the motion to accept the recommendation and proceed with Standard Insurance through VACoRP as our disability insurance carrier. Councilman Webb seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell – yea, Vice Mayor Greene – yea, Councilman Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

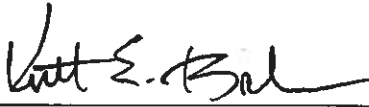
Keith Barker informed Council about an email request from Patrick S. Herrity, Chairman of the Governor's Task Force for Local Government Mandate Review. He stated that the request was that every locality consider adopting the resolution presented requesting reinstatement of the first day introduction on new legislation that fiscally impacts localities. Mr. Barker noted that prior to 2010, a first day introduction requirement was in place to ensure that any bill enacting a local mandate would be sufficiently analyzed by the Commission on Local Government prior to its being considered by the General Assembly. He told Council that in 2010 this provision was removed and now only bills pertaining to the Virginia Retirement System must meet this requirement. He told Council that the intent of the resolution was to request that the first day introduction requirement be reinstated. Councilman Garner made a motion to accept the adoption of 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 Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

At 8:45 p.m., a motion was made by Councilwoman Plichta to enter into closed session under **Acquisition or Real Property, §2.2-3711 A.3 of the Code of Virginia** - Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Garner seconded the motion and it was unanimously approved by the following votes: Mayor Mitchell – yea, Vice Mayor Greene – yea, Councilman Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

At 9:10 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 Garner – yea, Councilman Webb – yea, Councilwoman Plichta – yea, and Councilman Lazo – yea.

ADJOURNMENT at 9:11 p.m.

  
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Mayor

  
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Clerk