

Galax City Council
Minutes
October 14, 2019

Galax City Council convened in regular session in City Council Chambers on October 14, 2019 at 6:00 p.m.

At 6:00 p.m. Mayor Mitchell called the meeting to order with the following Council persons present and they are as listed: Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Councilman Greene prayed the opening prayer and led the Pledge of Allegiance.

Councilman Haynes joined the meeting at 6:05 p.m.

A presentation by Virginia Community Capital was given regarding the proposed development of the T. G. Vaughan Plant. Ms. Rebecca Richardson, Director of Project Development for Opportunity Virginia, gave a presentation on opportunity zones, how they work in regards to capital gains taxes and investments, and how the current zone may be beneficial for the T. G. Vaughan Plant redevelopment. Council thanked Ms. Richardson for the information and her presentation.

With no further comments, Mayor Mitchell accepted a motion made by Councilwoman White at 7:06 p.m. to adjourn until 7:30 p.m. Councilwoman Ritchie seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

At 7:30 p.m. Mayor Mitchell accepted a motion made by Councilwoman Ritchie to reconvene in regular session. Councilman Greene seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Mayor Mitchell presented a Resolution from Council to Ms. Shirley Anderson, the widow of Fielden "Tater" Anderson. The resolution reflected the many contributions made to the community by Mr. Anderson who was also a life long member of the Galax Fire Department.

Mayor Mitchell administered the Oath of Office to the newest officers of the Galax Police Department. Officer Randy Wilson and Officer Jason Horner were sworn in while Chief Dewitt Cooper and Captain James Cox were also present.

Vice Mayor Plichta made the motion to approve the minutes of the regular meeting of September 9, 2019 and the called meeting of September 16, 2019. Councilman Greene seconded the motion, and it was unanimously approved by the following

votes of “yea”: Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Mayor Mitchell amended the order of the agenda to allow Greg Pearson, Twin County Regional Hospital’s new CEO, to introduce himself and to give Council a TCRH update. Mr. Pearson stated he was excited and happy to be in Galax. He said his desire was for the hospital to grow and involve the community’s input in that growth.

Keith Barker informed Council that as discussed at the September 9 meeting, VDOT had offered to assist in preparing one to two applications for the 2020 Smartscale application process. He explained that a locality could submit up to four (4) projects, but due to the complicated nature of the projects, VDOT staff would assist in developing possible projects with cost data for only two projects. From the last City Council meeting, Council was to consider/identify possible projects along the Corridor of Statewide Significance (Rt. 58) that also addressed congestion, traffic safety concerns, pedestrian safety, etc. Mr. Barker said in discussions with staff, it was felt that there were three possible projects worth consideration for submittal in addition to others that Council may identify. They included:

1. Traffic Signal Improvements at the E. Stuart Dr/Food City Shopping Center – Improve the traffic safety issue by installing a 4th traffic signal for drivers leaving the County Line restaurant and other businesses at that intersection. This would require cooperation from the adjoining businesses and may require some unused entrances to be closed. It may be possible to include a portion of sidewalk at this location to assist in crossing E. Stuart Drive.
2. Improvements to Glendale and Cliffview Road intersection – Improve the intersection to address trucks turning left and improve the safety with an island.
3. Improvements to the entrance at the Galax East site – Provide a cross over to the site and turn in and out lanes.

Mr. Barker spoke to VDOT staff and they felt the first two projects would be worth consideration, however they do not feel the third project would move forward in the process since there is no business for the Galax East site at this time.

After a discussion with Council, there was a consensus to choose options 1 & 3 for the Smartscale application. The reason Council chose option 3 instead of 2 was the opportunity to enhance and develop the property which could attract a business opportunity.

Mayor Mitchell announced this was the date advertised as a public hearing for consideration of amendments to the City's Zoning Ordinance. Mayor Mitchell asked Daniel Riegel, Zoning Administrator, to speak on the possible changes. Mr. Riegel stated that Council voted a few months ago to ask the Planning Commission to consider possible revisions to the zoning ordinance that would take into consideration housing within a business district or a business adjacent to a residential area, and provide for the possibility that those properties could be within a new zoning district and be in compliance with the code. Mr. Riegel said the Planning Commission met on October 10 to review the possible code sections and to hold a public hearing. After meeting, he said they had approved the code revisions for an R-5 District and a B-4 District, which were given to Council to review and consider. Mayor Mitchell opened the floor for public comments. There were none. Mayor Mitchell declared the public hearing closed. Vice Mayor Plichta made the motion to approve the amendments to the City's Zoning Ordinance. Councilman Greene seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Mayor Mitchell announced this was the date advertised for a public hearing on a requested easement from CenturyLink. Keith Barker explained that CenturyLink recently had improved some of their lines across property owned by the City for the Mill Creek Interceptor on Glendale Road. He said the lines followed along an existing set of poles that went to the site; however, it was a change of location for the CenturyLink line. Because of the change of location, CenturyLink has asked that we approve a new right of way document. Mr. Barker said while the line was located on existing poles on the site, this was a lease of publicly owned lands and a public hearing was required. He closed by saying that the City's attorney had reviewed the ROW document. Mayor Mitchell opened the floor for public comments. There were none. Mayor Mitchell declared the public hearing closed. Councilman Haynes made the motion to approve the right of way request and authorize the City Manager to sign all necessary documents. Councilman Greene seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

James R. Savesky from the U.S. Census Bureau gave a presentation on the upcoming 2020 Census. Mr. Savesky informed Council of employment opportunities and how localities benefit from an accurate count. Councilwoman White volunteered to oversee a census committee for our area. Mr. Savesky requested the City to approve a resolution recognizing Census Awareness Day, Wednesday, April 1, 2020. Councilwoman White made the motion to approve the resolution. Councilman Greene seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Keith Barker informed Council of a recent conference call with our attorneys for the opioid litigation and that they have asked that we consider approval of a retainer from Sanford Heisler Sharp LLP (SHS) to handle a portion of the lawsuit. He said one of the attorneys for Kaufman & Canoles, P.C who handles the City's opioid litigation, also represented Johnson & Johnson on other matters and it would be a conflict to be involved in our case. The retainer would move and lawsuits against Johnson and Johnson to SHS and eliminate the conflict. Mr. Barker spoke with our City Attorney and his recommendation was that we accept the change of representation and retainer as presented. Councilman Larrowe made the motion to approve the retainer agreement and authorize the City Manager to sign all necessary documents. Councilman Haynes seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Ms. Emily Brown, Tourism Director, was present to request approval from Council for a street closure for an upcoming Galax Farmer's Market Festival. Ms. Brown explained the request involved one street block closure on Saturday, October 19th from 7 a.m. -2 p.m. and would only include the section of Main Street directly in front of the farmer's market from the Washington Street down to Center Street. Ms. Brown stated that everyone involved felt it would be a better for the event to close the street instead of using the parking lot beside of Macado's. Vice Mayor Plichta made the motion to approve the street closure request. Councilman Haynes seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Keith Barker informed Council of an upcoming training opportunity from the Virginia Industrial Advancement Alliance. He said VIAA was planning to host a regional economic development orientation for all local elected officials in our region. He said the event would be held at WCC or the Wytheville Meeting Center. Groups being invited to present included VIAA, VEDP, the Secretary of Commerce Office, GO Virginia, and the Tobacco Commission to help share information and provide a comprehensive overview of how these pieces fit together. Mr. Barker said this event would be made available for both new and incumbent members of Councils and Boards of Supervisors. The event would be scheduled as a day meeting on December 5th or December 19th with lunch provided. He said once details were finalized, he would let City Council know.

Keith Barker announced with the recent announcement of the MOOG, Inc. expansion, we had received the Virginia Tobacco Region Revitalization Funds for the project in the amount of \$20,000. Mr. Barker asked Council to approve a budget amendment recognizing the funds received and expended. The funds would be shown as revenue in line item *10.3.3240.0323 Tobacco Commission* and the expenditures would be listed in *10.4.9950.1579 Tobacco Commission Grant*.

He said since the budget increase was less than 1%, a public hearing was not required. Councilman Larrowe made the motion to approve the budget amendment. Councilwoman White seconded the motion and it was unanimously approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Keith Barker informed Council that the City Manager's Report was provided to each of them which listed current projects that he was working on and if they should have any questions, he would be glad to answer them.

Council Comments:

Councilman Larrowe suggested that Council present a resolution of appreciation to Access Home Healthcare for the Fall Festival that they had hosted recently in downtown Galax. It was discussed what a success it was and there was talk of plans to repeat it next year.

Councilwoman Ritchie congratulated Councilman Greene for being named the VML President-Elect for 2020.

With no public comments, Mayor Mitchell accepted a motion made by Vice Mayor Plichta at 9:05 p.m. to enter into closed session under the following Code of Virginia:

Prospective Business or Expansion of an existing Business or Industry - § 2.2-3711 A.5 of the Code of Virginia - Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

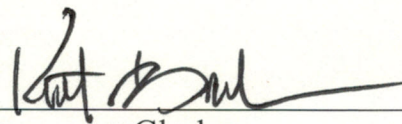
Councilman Greene seconded the motion and it was approved by the following votes of "yea": Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

At 9:21 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 was taken, with the following affirmation: Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

ADJOURNMENT at 9:21 p.m.



Mayor



Clerk

