

Galax City Council  
Minutes  
January 13, 2020

Galax City Council convened in regular session in City Council Chambers on January 13, 2020 at 7:30 p.m.

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 Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

Councilwoman Ritchie prayed the opening prayer and led the Pledge of Allegiance.

Councilman Haynes made the motion to approve the minutes of the regular meeting of December 9, 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 announced this was the date Council set to hold a public hearing for a revision to the stormwater ordinance. Keith Barker said as discussed at the last City Council meeting, we had been reviewing our ordinance to make it more less stringent for smaller developments. He said our current stormwater ordinance followed the state stormwater code and set the requirement for a required stormwater plan when a parcel was divided into three or more lots. He spoke to the local developer in regards to the difficulties of providing a stormwater plan for smaller developments and also reached out to DEQ regarding the requirements. Mr. Barker said after a review by DEQ, they were agreeable that our interpretation of the state and local codes could be amended to allow a subdivision to occur without a stormwater plan, provided the total disturbed area over the entire project area did not equal or exceed 1 acre. Mr. Barker noted while it did not necessarily require a revision to our ordinance, staff recommended the proposed language change to remove any future confusion regarding this exemption. He closed by saying that while this would address the stormwater plan requirements for smaller subdivisions, a developer creating 3 or more lots must still provide a subdivision request and plan(s) per the subdivision and zoning ordinances. Mayor Mitchell opened the floor for public comments. With no public comments made, Mayor Mitchell declared the public hearing closed. Councilman Larrowe made the motion to approve the Stormwater Ordinance revisions. 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.

Mayor Mitchell announced this was the date for a public hearing to consider revisions to the Sewer Use Ordinance. Keith Barker explained that City Engineer, Edwin Ward had been working on our current Sewer Use Ordinance. He said earlier in 2019, the City received notification from the Dept. of Environmental Quality (DEQ) that revisions to the City's Industrial Pretreatment Program were necessary to be in compliance with State Water Control Board regulations. The required changes to the Industrial Pretreatment Program involved revisions to the City Code Chapter 153 – Water and Sewers, more commonly referred to as the Sewer Use Ordinance.

The current Sewer Use Ordinance language was adopted in 1992. These revisions under consideration were necessary to include new provisions associated with changes to the Virginia Pollution Discharge Elimination System regulation 9VAC25 that was previously adopted by

Virginia. Several of the revisions were mandatory and precisely worded, while other revisions were optional. Some of the optional revisions were included voluntarily because of the added flexibility for City staff to reduce the burden of technical and administrative requirements in certain areas of the Industrial Pretreatment Program.

Mr. Barker said the Dept of Environmental Quality approved the City's proposed revisions on November 18, 2019. Mayor Mitchell opened the floor for public comments. With no public comments made, Mayor Mitchell declared the public hearing closed. Vice Mayor Plichta made the motion to approve the Sewer Use Ordinance revisions. 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.

Keith Barker gave an update regarding the Cranberry Road Project. He informed Council that the Cranberry Road Project had been advertised and bids would be received on February 12, 2020.

Mr. Corbin Stone with Robinson, Farmer, Cox - presented Council with the FY2019 audit findings. After the presentation, Mr. Stone and Mayor Mitchell conveyed that Judy Taylor-Gallimore, Keith Barker, and staff had done a wonderful job and it was appreciated how well they had worked with the auditors.

Councilman Larrowe made the motion to approve the FY2019 Audit. 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 that an Economic Incentive Policy draft had been developed for the City of Galax. He explained that the creation of the document was one of the deliverables based on the Vision 2020 Plan that City Council adopted in December 2019. He further explained that State and Local incentive programs were identified; however, those may change yearly as new programs were developed or existing programs were amended at the state level. He said local incentives were based on our current Enterprise Zone incentives, along with job creation and investment incentives for larger projects that would return a positive investment for the City in 36 months. Mr. Barker said this should be a document that would be considered and reviewed yearly to verify appropriate programs were included and to consider new opportunities available in Galax. Mr. Barker requested that City Council review this document for items to be amended and to consider adoption at an upcoming meeting. The consensus was to hold over until the next meeting.

Keith Barker informed Council of an alley abandonment request from John F. Jalo who lives on Mt. View Ave. Mr. Barker said that Mr. Jalo had asked if Council was willing to consider an abandonment for the portion of alley that borders his home on the corner of Mt. View Ave. and Fries Road. He said while we have the application in hand, Mr. Jalo had not paid the required fees or hired an attorney at this time. The alley was identified during a previous study as one that could be abandoned since there were no current utilities located there or any future plans for utilities in the alley. Mr. Barker said he would contact Mr. Jalo to ask that he proceed with the final application, advertisement, etc. if Council was in agreement with his request. There was a consensus from Council for Mr. Jalo to proceed with this issue.

Keith Barker presented the following City Calendars for Council's consideration and approval for 2020:

- Festivals and Street Closures – 2020, Emily Brown spoke briefly on the Festivals & Street Closures and also marketing for the City.
- City Council Meeting Calendar – 2020
- Holidays & Sanitation Calendar - 2020
- FY2021 Budget Calendar

Councilman Greene made the motion to approve the 2020 calendars. Councilwoman Ritchie seconded the motion and it was 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 he had been speaking with the owners of the former Magic Mart shopping center and the Food City shopping center. He said both were now under new ownership and efforts were being made to recruit new businesses and update the facilities. Both owners had expressed an interest in having their property being fully included within the Enterprise Zone in order to take advantage of local and state incentives as available. Mr. Barker said he had been working with staff and had developed the proposed map for an enterprise zone amendment. He said we were limited to 640 acres of total land area that can be included in an enterprise zone and we currently have over 637 acres delineated in our enterprise zones. An amendment to increase some areas such as these shopping centers would require a decrease in others. He said we had identified residential areas that were not eligible for incentives, and we had added the entire developed area for the former Magic Mart location and the Food City location. Mr. Barker said if Council was in agreement with the general concept, he would work with staff to notify affected property owners and to schedule a future public hearing. He closed by saying while we would work to complete the amendment, we had until later this calendar year to complete a submittal for review with the state. Mr. Barker said once it was approved at the state level, it was retroactive to January 1 of the year submitted. There was a consensus among Council to proceed and revise the maps.

Keith Barker gave the City Manager Report which gave Council an overview of the status of the many various projects and initiatives that were underway with the City or with regional boards that he was part of. Mr. Barker told Council to feel free to ask for additional information as needed.

#### Council Comments:

Councilman Larrowe brought up the previously discussed idea of a different Council meeting time. Information had been given to Council a while back of various localities and the times in which they held their regular meetings. There was a consensus for the meetings to begin at 6:00 p.m. instead of 7:30 p.m. effective at the next meeting. Councilman Greene made the motion to approved the revised meeting time. 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.

With no public comments, Mayor Mitchell accepted a motion made by Vice Mayor Plichta at 8:55 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 Haynes 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 9:10 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 was taken, with the following affirmation: Mayor Mitchell, Vice Mayor Plichta, Councilman Greene, Councilman Haynes, Councilwoman Ritchie, Councilwoman White, and Councilman Larrowe.

ADJOURNMENT at 9:10 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk