Minutes of a regular meeting of the Town Council of the Town of Marion, Virginia held in the Council Chambers of the Municipal Building on August 7, 2023 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Jim Barker, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter and Avery Cornett Council Members; Town Manager Bill Rush, Assistant Town Manager Billy Hamm, Town Clerk Cindy Stanley, Town Attorney Mark Fenyk, Smyth County News Representative Stephanie Portor-Nichols, Police Chief John Clair, Fire Chief Richard Keesling (left early), Economic Development Director Ken Heath and Director of IT Todd Long.

**ABSENT:** Vice-Mayor Dr. Jim Gates.

**VISITORS:** David Fulton, Delphia Little, Janene Walker, Charles Wassum, Rex Anders, Anthony & Tina Pennington, Kate Pennington, Mike Robinson, Bailey Russell, Riley Russell, Scott Russell, Janet Russell, Mike Davidson, Haley Freeman, Ava Austin, Maddie Austin, Parker White, Ally White, Samantha White, Raegan Burchett, Ariah Jones, Todd Necessary, Sam Widener, Vicki Widener, Charisma Jones, Renee Rotenberry, Doug Grubb, Tracy Thompson, Noel Collins, Sarah Myers and Tonya Myers.

**INVOCATION/PLEDGE TO THE FLAG:** Mr. Heath rendered the invocation. Boy Scout Troop Leader Noel Collins led the Pledge to the Flag.

**MINUTES:** Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the minutes of the meeting held July 17, 2023 were approved as written. Messrs Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the agenda was approved as distributed.

**PUBLIC PRESENTATION:** Mayor Helms noted the Marion Senior High School Ladies Tennis team won the State Championship. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Resolution in Honor of the 2023 Lady Hurricanes State Champion Tennis Team was adopted. Mayor Helms read and presented the resolution to the team.

Mayor Helms reviewed a resolution in honor of Kate Pennington as an inductee to the Bluefield University Athletics Hall of Fame. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Resolution in Honor of Kate Pennington 2023 Inductee of Bluefield University Athletic Hall of Fame was adopted. Mayor Helms read and presented the resolution to Kate Pennington and family.

Mayor Helms reviewed a resolution in honor of Marion Senior High School Scholastic Bowl. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Resolution in Honor of MSHS Forensics, Theatre, Yearbook and Scholastic Bowl as our 2023 Class 2 National Guard Cup Champions was adopted. Mayor Helms read and presented the resolution to Sam Widener as the State Champion in the Forensics competition.

Tracy Thompson, Lincoln Theatre Director, distributed information packets. She gave an update on the Lincoln Theatre noting the theatre will be celebrating the 20th year reopen in 2024. The marquee will be updated as a kickoff to the year. The plan is to update the marquee with LED digital readers on 3 panels. She asked for financial assistance from the town, as Smyth County has pledged $20,000 and the theatre will match $20,000. The new proposed zoning updates will be changing for signage in the future and Ms. Thompson has already appealed in writing to the BZA. Discussion ensued. Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, Mr. Rush, Mr. Long and Mr. Fenyk are to work to expedite a Public Hearing for the proposed Zoning Ordinance signage updates. The financial request for $20,000 was discussed. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the request for $20,000 to assist with the marquee upgrade was granted.

**PUBLIC COMMENT:** Rex Anders, 661 Iron Street, spoke about the traffic backups at the traffic light at the intersection of Commerce and Pendleton Street. Mr. Rush noted that is part of a project he is trying to get implemented. Mr. Anders also noted the street lines need to be painted. He asked about the future of the East Chilhowie Street Bridge.

Janene Walker, 203 West Strother Street, questioned funding the unbudgeted expenses.

David Fulton, Pearl Avenue, questioned budgeted personnel to cover when meter readers were out to prevent estimates on water bills.

Will Wharf, Edward Jones new advisor, was introduced. He spoke noting he looked forward to relocating to Marion.

Mr. Barker reported Kim Austin has resigned from the Planning Commission. Mr. Barker recommended to RFP the audit next year.

Mr. Rush reviewed the Treasury Bill Investments noting $4,893,000 was invested 6 months ago and they have matured and could be reinvested. Upon motion of Ms. Spencer, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, staff is to reinvest all these funds back into Treasury Bills as indicated.

Mrs. Jennings reviewed the Parking Joint Task Force meeting. Mr. Rush presented options. Mr. Barker suggested adding Ken Heath to that committee.

Mayor Helms reminded everyone of the VML Regional meeting in Chilhowie August 9 from 9:00 am until noon. The VML Annual Conference is October 8-10 in Norfolk.

Mr. Fenyk will be representing the Marion EDA on two cases tomorrow. Other cases are set for September 5 at 10:30 am.

Ms. Stanley reminded council of the COIA/FOIA training. An email reminder will be sent with the link for the training.

Chief Clair was appreciative of his 3-week training in Boston. Active Shooter equipment has been received.

Mr. Heath noted WJHL will be filming from Marion all day on August 30. National Main Street will be in Marion September 15 hosted by the Lincoln Theatre.

Mr. Long reviewed the Zoning Ordinance update process, this will include signage updates. The elevator upgrade is complete. The generator installation will be complete, once the transfer switch is wired.

Mr. Rush reviewed a request from the Mountain Empire Airport for financial support for a special project. The Town of Marion’s portion would be $1,320.50. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the allocation to the Mountain Empire Airport of $1,320.50 for the special project was approved. There will be a Marion EDA meeting August 23. Callan Drive Rec Park grading is underway. Mr. Rush reviewed an outside town limits garbage pickup request on Anderson Avenue. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the request for garbage pickup outside town limits was referred to the Streets and Sanitation Committee.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-3), upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for discussion of Real Estate Acquisition, Tax Sale. Mrs. Jennings moved that Town Council return to Open Session and identified it be known that only those matters legally exempted from Open Session and identified in the motion were discussed during Closed Session. The motion was seconded by Mr. Weaver and carried by a vote of 6 AYES and 0 NOES. The Clerk polled the Council Members. Messrs Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, Mr. Barker is allowed to negotiate real estate acquisition at the next tax sale.

Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the meeting was adjourned at 8:31 p.m.

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Mayor Clerk