

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 1, 2016 at 5:30 p.m.

PRESENT: Mayor David Helms, Dr. Jim Gates, Tricia Spencer, Jim Barker, Bill Weaver, Larry Carter, Avery Cornett and Suzanne Jennings Council Members; Town Clerk/Director of Finance Cindy Stanley; Deputy Clerk Anita Catron; Deputy Clerk Samantha White; Town Attorney Mark Fenyk; Smyth County News Representative Linda Burchette; Police Chief Rex Anders; Assistant Town Manager/Town Engineer Cecil Hicks; Economic Development Director Ken Heath; Marion Downtown Director Olivia McDonald; Golf Course Manager Terry Jennings and Town Engineer Assistant/IT Coordinator Todd Long; Cameron Wolfe, Bob Ramsey, Trey White, Ben Reedy, Dan Surface Planning Commission Members.

ABSENT: None

INVOCATION/PLEDGE TO THE FLAG: Mr. Heath rendered the invocation. Mayor Helms led the Pledge to the Flag.

VISITORS: Jeff Spickard, Kathy Smith, Mike Edwards, Brian Tibbs, Dr. Jim McDowell, Katie Smith.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the minutes of the meeting held July 18, 2016 were approved as written. Messrs Dr. Gates, Barker, Spencer, Weaver, Carter, Cornett and Jennings voted affirmatively.

AGENDA: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed with one correction of removal of Special Use Permit Public Hearing.

PUBLIC PRESENTATION: Mike Edwards provided an update on the Smyth Wythe Airport Commission. Fuel sales have improved and rental hangars are remaining steady. The Repavement Project will begin next spring. The Airport has received requests from both State and Federal Aviation Departments to cut five acres and remove a portion of mountainside. The Fly In will not take place due to paving. The Commission has requested to hold a meeting with a representative from Towns of Marion and Wytheville and Counties of Smyth and Wythe. Town Manager Bill Rush has agreed to attend the meeting to be held soon.

JOINT PUBLIC HEARING 101 WEST CHERRY STREET REZONING REQUEST: Mr. Hicks reviewed the Rezoning request for 101 West Cherry Street. The request was made by First United Methodist Church to rezone the property from Commercial General to R2 Residential. FUMC representative Dr. James McDowell spoke regarding the church's desire to accommodate Emory and Henry students. Mr. Hicks explained that the property meets all requirements for R2 zoning. Upon motion of Mr. Ramsey, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the Planning Commission made the recommendation to Council that 101 West Cherry Street be rezoned as R2. Mr. Barker left Planning Commission and joined Council. Mayor Helms opened the Public Hearing. With no further comments, Mayor Helms closed the Public Hearing. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the 101 West Cherry Street Rezoning request was approved. Mr. Barker, Dr. Gates, and Ms. Spencer all disclosed that they are members of First United Methodist Church. Town Attorney Mark Fenyk stated that it is not a conflict for the council members who are church members. Planning Commission members and Mrs. Catron were excused.

Mrs. Jennings introduced the interim Director of The Lincoln Theatre, Brian Tibbs. Mr. Tibbs provided his background and education in theater. He gave an update on upcoming performances at the Theatre and welcomed the opportunity to discuss the Theatre and its operations with Council members in the future. Mrs. Jennings also provided an update on Lola's, the new Lincoln Theatre shop and business offices.

Mr. Cornett reported that the Recreation Department's Concussion Policy is available online and has been well received by participants in the department's sports activities. He attended the VML New Officials Training on July 22nd and 23rd.

Mayor Helms reminded council members of the annual VML Conference to be held October 9-11 in VA Beach. The Blue Ridge Job Corp will host an Open House on August 10 to introduce its new staff. The Chamber of Commerce will host the Town and Country Barbecue on August 25th in Chilhowie. Please RSVP to Cindy. The Spirit of '45 Day will be held at the VFW from 3:00 to 5:00pm on August 14th. They will also celebrate Mr. Joe Ellis' 90th birthday at this year's event. Jim Barker is serving on the VML Committee for Environmental Issues. The Town has been notified there is a vacancy on the Mountain CAP board. Mr. Herbert Clay and Mr. Mike Walker have recommended that Mrs. Kim Austin be appointed to fill the vacancy. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Mrs. Kim Austin was appointed to serve on the Mountain CAP board.

Mr. Fenyk reported that in a Circuit Court Hearing Ian Tyler Adams had been approved for a Pawn Shop License at Broad Street Pawn, LLC.

Ms. Stanley reported that Deputy Clerk Samantha White is recording the minutes of the meeting for first time.

Mr. Jennings reported that the Recreation Department's summer sports ended on July 7th and co-ed softball will continue through August. The soccer camp held at Oak Point Elementary School went well with 23 children attending. Both the Town Pool and the HHC GC Pool will close on weekdays beginning August 10th but will remain open on weekends through and including Labor Day. Football and Cheerleading signups will be held at Marion Middle School. Required Concussion Policy forms and physicals have been coming in to the Recreation Department. Football equipment will be issued August 22nd and 23rd. The First Tee Program will be expanded to Atkins Elementary School and Sugar Grove Elementary School in addition to Marion Elementary School for the upcoming school year. Dr. Gates commented on the increase in rounds of golf played at Holston Hills. Mr. Jennings left the meeting.

Mr. Hicks reported for Mr. Perry who was unable to attend the meeting. The Patching Schedule has been monitored and expanded with many completions. An offenders crew is being used to wash the water tanks. Mr. Weaver commented on the need for tree removal at the water tanks.

Chief Anders reported that the Henry Street case continues to await a court date. Mr. Fenyk noted that the court-ordered mental evaluation continues to be postponed. Mr. Anders also reported that Mr. Fenyk is working on the Dangerous Dogs Ordinance.

Mrs. McDonald reported that the Cruise-Ins that had been held throughout the summer had gone well and there are now plans to continue with them through August and September. Mrs. McDonald provided updates on the status of the four recipients of the recently awarded Pop Up grants. On August 20th, the Farm to Table Farmers Market fundraiser will be held.

Mr. Heath reported that Catherine Poole, Henderson School Director, has submitted applications for two VML awards for the Henderson School. Mr. Heath is currently working on a Brownfield Redevelopment Grant Request that would fund Phase 1 and Phase 2 for the Buster Brown and Holston Harwood properties. Mr. Heath and Mrs. McDonald left.

Mr. Hicks reported that Striping is complete and Crosswalk signs are installed with the exception of North Church Street. Chad Thomas has provided an estimate of \$150,000 to \$200,000 for repairs on the East Chilhowie Street Bridge. The estimate including engineering costs will be negotiated by Mr. Rush and Mr. Hicks. Repair of the bridge is estimated to take six months.

Jeff Spickard, with Lane Engineering, reviewed bids received for Phase 1 Sewer and Water Materials and Phase 1 Sewer Contractor and distributed Bid Tabulation Sheets. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Contract 1 for Water Line Materials and Contract 2 for Sewer Line Materials were awarded per the Bid Tabulation Sheets. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Contract 3 for Sewer Installation was awarded to Teaters Trucking for \$359,352. Water line installation will begin August 15th. Sewer Line installation will begin at the end of September.

Mr. Hicks also noted that a joint application is being submitted for replacement of the culvert on Matson Drive.

Mr. Long provided an update on the Overgrowth Program. There has been 82% compliance on the 65 letters that have been sent to property owners. The town crew has cleared four lots. Mr. Long continues to work with the Planning Commission on updating the town ordinance regarding property maintenance.

Upon motion, duly seconded and a vote of 7 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk