

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 July 18, 2016 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Tricia Spencer, Bill Weaver, Jim Barker, Avery Cornett and Suzanne Jennings Council Members; Town Manager Bill Rush; Town Clerk/Director of Finance Cindy Stanley; Town Attorney Mark Fenyk; Smyth County News Representative Stephanie Porter-Nichols; Police Chief Rex Anders; Assistant Town Manager/Town Engineer Cecil Hicks; Golf Course Manager Terry Jennings (arriving late) and Purchasing Agent/Fire Chief Billy Hamm.

**ABSENT:** Larry Carter.

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

**VISITORS:** Jeff Spickard, Kathy Smith, Bob Lincoln and Mike Edwards.

**MINUTES:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the minutes of the meeting held July 5, 2016 were approved as written. Messrs Dr. Gates, Spencer, Weaver, Barker, Cornett and Jennings voted affirmatively.

**AGENDA:** Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the agenda was approved as distributed with the addition of a closed session for Real Estate.

**PUBLIC PRESENTATION:** Mr. Lincoln thanked the Police Chief and all our officers, as well as Smyth County Sheriff's office and Virginia State Police, for everything they do to keep our community safe. He expressed his appreciation for Law Enforcement Officers during this very difficult time with regards to the many recent attacks on officers.

Mr. Edwards, Smyth-Wythe Airport representative, reported that the Airport could be the recipient of a grant and the announcement will be next week.

Ms. Smith also expressed her appreciation for all Law Enforcement Officers.

Mr. Barker thanked the Police Department for all their help during this past weekend's events. Mr. Barker reported for the Ordinance Committee, noting the current parking ticket is \$5. The Committee would like to see this increased to \$25 for the first ticket, then \$50 for a second ticket, \$100 for the third ticket and \$200 for the fourth ticket. There would be a thirty day transition period during which the officers may give warnings. Handicapped Parking violation is currently \$15 and the Ordinance Committee would recommend increasing to \$200. Upon motion of Mr. Barker, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the new fee structure for parking tickets of \$25/first, \$50/second, \$100/third, \$200/fourth and \$200 for a handicapped Parking violation was accepted and will begin September 1, 2016.

Mrs. Jennings thanked Mr. Heath, Mrs. McDonald and the Police Department for all their hard work on this past weekend's events.

Mr. Cornett reported on behalf of the Recreation Committee on the Concussion Policy. The Committee is developing a Concussion Management Team and all participants are going to be required to have a physical. There will be mandatory training for all coaches. If a concussion has been suspected, a doctor must give permission for the participant to return to program. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Concussion Policy and Physical Policy were accepted. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the fee schedule for the Recreation programs was referred back to the Recreation Committee for consideration.

Mayor Helms reminded everyone of the VML Conference in VA Beach October 9-11, 2016. He also thanked all the town staff for their work on the events this weekend and noted this was a great team effort.

Mr. Fenyk reported the fee and petition for a new owner of existing business had been filed with the Circuit Court. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the

license issued under new ownership for an existing business was accepted. The hearing will be on July 26, 2016 at 11:30 am.

**ACCOUNTS:** Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES the accounts were approved for payment in the amount of \$176,471.14. Messrs Dr. Gates, Spencer, Weaver, Barker, Cornett and Jennings voted affirmatively.

Chief Anders noted June was a very busy month and there has been an increase in the active shooter training. The Police Department met with the new Blue Ridge Job Corps security contractors. Chief Anders noted a letter from Senator Warner's office recognizing Officer Horn's participation in the 2016 Law Enforcement Torch Run for Special Olympics Virginia. A Public Hearing needs to be set for a proposed Dog Ordinance. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, a Public Hearing for a proposed Dangerous Dog Ordinance has been set for Monday, August 1, 2016 at 5:30 pm. Deacon Nolan Wolfe invited everyone to a Law Enforcement Appreciation and Prayer event at Antioch Greater Love Church on Maple Street, Tuesday July 19, 2016 at 6:30 pm.

Mr. Rush reviewed a Resolution in Support of Early Childhood Education. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Resolution in Support of Early Childhood Education was accepted. He also noted the great success of the Chili Cook Off and events, drawing in over 10,000 participants.

Mr. Hicks reported VDOT Highway Maintenance final report shows a carry-over of approximately \$53,000. A culvert on Matson Drive needs replaced. The Phase I Sewer project for the CIRP program will hold a pre-bid meeting tomorrow. Mr. Hicks also reviewed a request from the First United Methodist Church for rezoning of the Parsonage to allow for Housing of the Emory & Henry students. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, a Public Hearing for rezoning will be set for Monday, August 1, 2016 at 5:30 pm. Council members Barker, Gates and Spencer state for disclosure purposes, they are members of that church. A Special Use Permit from Sarah Jackson for a home based occupation has been submitted. A Public Hearing will be set for the second meeting in August.

Mr. Rush reported that approximately 50 letters regarding the property maintenance code have been sent and about 50% of those are owner compliant. There will be more proposed changes to the Junk and Rubbish ordinances in the near future. Funding letters have been received from the Virginia Department of Health on Phase I and Phase II of the CIRP program. Mr. Spickard noted he is pleased with the VDH buy-in and willingness to partner with the Town of Marion. The Streetscape project has crews in place to begin the work and it is coming in under budget. Our force account expenditures will be allowable for the Town's 20% match.

**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 the purpose of discussion of Real Estate. 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 Dr. Gates and carried by a vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Cornett, Weaver, Barker, Dr. Gates, Spencer and Jennings voted affirmatively.

Upon motion, duly seconded and a vote of 6 AYES and 0 NOES, the meeting was adjourned.

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Mayor

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Clerk

