

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 15, 2016 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Tricia Spencer, Bill Weaver, Larry Carter, 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; Town Engineer Assistant/IT Coordinator Todd Long; Economic Development Director Ken Heath and Purchasing Agent/Fire Chief Billy Hamm.

**ABSENT:** None.

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

**VISITORS:** Jeff Spickard, Kathy Smith, Jennifer Bralley, Paula & Justin Mutter, Mike Steele, Chali Kelly Jones, Herbert & Emma Johnson, John & Sarah Jackson, Joe Clark and LaTara Cross.

**MINUTES:** Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the minutes of the meeting held August 1, 2016 were approved as written. Messrs Dr. Gates, Spencer, Carter, Weaver, Barker, Cornett and Jennings voted affirmatively.

**AGENDA:** Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed.

**PUBLIC PRESENTATION:** Mr. Mike Steele, Blue Ridge Job Corps representative, reported that Wednesday, September 21, 2016 will be International Day of Peace. The Blue Ridge Job Corps participates in the Y2Y Program, Youth to youth violence prevention, and would like to request permission to hold a peace walk on Main Street that day. The tentative plans are for the Peace Walk to take place on Wednesday, September 21, 2016 from 9:30 to 10:30 am from the Blue Ridge Job Corps to Yummy Yummy, expecting 70 to 90 participants. Mr. Steele is to work with the Police Department to work out the details. Ms. Cheli Jones, LPN student at BRJC, spoke as an advocate for the week long program to help with decreasing violence.

**RESOLUTION:** Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, a Resolution in Honor and Remembrance of Earl S. "Sam" Mutter was accepted. Mayor Helms read the Resolution and presented it to Mr. Mutter's Family. Mr. Mutter was a Council member from 1998-2000.

Chief Anders presented a plaque to Mr. Herbert Johnson on behalf of the Marion Police Department to the VFW Post 4667 in recognition of Spirit of '45 Day.

**PUBLIC HEARING DANGEROUS DOG ORDINANCE:** Chief Anders noted that Council adopted the new code of Virginia which included an update in the dangerous dog section. Mayor Helms opened the Public Hearing. Town Attorney reviewed the updates noting once the court has determined a dog to be dangerous, there are items that need to be addressed in a certain time frame such as registration fees, insurance liabilities and reimbursement for costs incurred. With no further public comment 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 amendments to this ordinance were accepted.

**PUBLIC HEARING SPECIAL USE PERMIT 233 HOLLY STREET:** Mr. Hicks reviewed the Special Use Permit for 233 Holly Street made by John & Sarah Jackson for a Home Occupation Business to make and sell handmade crafts. Mayor Helms opened the Public Hearing. With no public comments, Mayor Helms closed the Public Hearing. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES, 0 NOES and 1 ABSTENTION (Gates), the Special Use Permit for 233 Holly Street was approved.

Mr. Carter presented a request to plan an October Fest for Saturday, October 1, 2016. Discussion ensued. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this was deferred until the September 6, 2016 meeting.

Mayor Helms reminded everyone of the VML Conference in VA Beach October 9-11, 2016. The agenda for the Conference was distributed. Mayor Helms reviewed the Extra Mile Day Resolution which will be November 1, 2016. Upon motion of Mrs. Jennings, seconded by Mr. Carter and a vote of 7 AYES and 0 NOES, the Resolution declaring November 1, 2016 as Extra Mile Day was accepted. He also reminded everyone of the Town and Country BBQ on August 25, 2016 at 6:30 pm at the Chilhowie Land Company Hanger. Mayor Helms noted there were 12 WWII Veterans present at yesterday's Spirit of '45 Day.

**ACCOUNTS:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES the accounts were approved for payment in the amount of \$970,687.66. Messrs Dr. Gates, Spencer, Weaver, Barker, Carter, Cornett and Jennings voted affirmatively.

Chief Anders requested approval to purchase the two budgeted police vehicles due to one being out of service. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, purchase of the two budgeted police vehicles was approved.

Chief Hamm noted the American Red Cross Smoke Detector Program is almost ready to begin implementation. The first scheduled day for installations of smoke detectors is October 1, 2016. The Department of Emergency Management Drill will be September 20, 2016. Five area localities will be participating. The new ambulance will arrive tomorrow afternoon and must be inspected by the EMS Council before going into service. The new garbage truck is scheduled to arrive next week.

Mr. Heath reported the Farm to Table event will be held Saturday, August 20, 2016 at 6:00 pm. The Town received a \$75,000 USDA Small Business Loan Grant. Mr. Heath reviewed the 9-11 Program which will include Nathan Stanley, Ralph Stanley's grandson, to perform at the Lincoln Theatre on September 10, 2016. Angela Wolfe is the new Mt Rogers PDC Housing Rehab administrator. The Town and County quarterly meeting will be held Thursday, September 29, 2016 at 6:00 pm at the Holston Hills Community Golf Course. Chelsea Campbell is developing the program. There will be a walk thru tour of the Emory & Henry Health Science building on September 30, 2016.

Mr. Hicks noted the Matson Drive culvert replacement will cause traffic to be diverted for approximately two days. The Phase I Sewer project will begin before October 1, 2016 and the Phase I Water project will begin September 1, 2016. Mr. Hicks also noted that Todd Long is doing a good job on the Property Maintenance Code. Mr. Long reported that 4 properties have been cleaned up by town crews.

Mr. Rush commended Mr. Long for all his work on the blight and overgrowth program. The final draft will be presented to the Planning Commission at their September 12, 2016 meeting. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, a Public Hearing will be set for the September 19, 2016 council meeting concerning the updated property maintenance code.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-3) upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 7 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 Mr. Weaver and carried by a vote of 7 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Cornett, Weaver, Carter, Barker, Dr. Gates, Spencer and Jennings voted affirmatively.

Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, Mt Zion Church is to work with the Police Department to work out the details of the 9-11 Program.

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

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Mayor

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Clerk

