

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 November 7, 2016 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter, Jim Barker and Avery Cornett Council Members; Town Manager Bill Rush; Town Clerk/Director of Finance Cindy Stanley; Town Attorney Mark Fenyk; Smyth County News Representatives Stephanie Porter-Nichols and Linda Burchette; Police Chief Rex Anders; Assistant Town Manager/Town Engineer Cecil Hicks; Town Engineer Assistant/IT Coordinator Todd Long; Economic Development Director Ken Heath; Public Works Director Jackie Perry and Golf Course Manager Terry Jennings (arriving late).

**ABSENT:** None.

**VISITORS:** Jeff Spickard, Kathy Smith, Guy Meilleur, Susan Hunt, Summer Patterson, John Patterson, Jeff Kirwan, William Fields, Rich Patterson, Faire Patterson, Jim Patterson, Sr. Jacob Combs, Hunter Anderson, Rebecca Sparger, John Sparger, James Patterson, III, J E Patterson, Jr., Toni Patterson, Lisa Mitchell, Caroline Woodard, Dean Woodard, Ellen Woodard and Jen Surber (arriving late).

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

**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 October 17, 2016 were approved as written. Messrs Dr. Gates, Jennings, Spencer, Carter, Weaver, Barker and Cornett voted affirmatively.

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

**PUBLIC PRESENTATION:** Mr. Cornett recognized Dr. Jim Patterson as an outstanding citizen for the Extra Mile Nomination. Mr. Cornett reviewed a few of the many achievements of Dr. Patterson, including numerous appointments and offices held. He has also been the Medical Examiner since 1959. He retired from private practice in 1990. Lisa Mitchell, Mel Leaman Free Clinic employee, noted many programs through the Free Clinic that Dr. Patterson implemented. Mr. Cornett presented Dr. Patterson with an Extra Mile Certificate and Town of Marion lapel pin. Dr. Patterson thanked everyone. (Terry Jennings arrived).

Mayor Helms reviewed a Resolution in Honor of Bill Anderson which will be presented to him Sunday night at the Lincoln Theatre. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Resolution in Honor of Bill Anderson was accepted.

Mr. Fields with the Blue Ridge Job Corps expressed great concern in saving Sally's Crying Tree and protecting the safety of the citizens. He also reviewed the importance of the story about the tree.

Jeff Kirwan, retired Forestry Specialist, Va Tech Professor and the co-author of the book "Remarkable Trees in Virginia", received a call about the health of Sally's Crying Tree. He, along with Guy Meilleur are evaluating the health, possible preservation and safety of the tree.

Mr. Barker proposed the question "How can we increase the life of the tree and make it stronger for the future?" Mr. Barker introduced Mr. Guy Meilleur who has 50 years of experience as a commercial arborist. Mr. Meilleur reviewed a power point presentation about the condition of Sally's Crying Tree. The tree has been deteriorating for a very long time which is not uncommon in large white oaks. Healthy growth is continuing at the base with new roots developing. He gave a very detailed prescription for pruning the tree to reduce the risk of falling. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Town of Marion will contract with Mr. Meilleur's company, Historic Tree Care, to complete the prescribed work on Sally's Crying Tree in the amount of \$1,417.00.

**PUBLIC HEARING:** None.

Mrs. Jennings reported that the Lincoln Theatre and AMH Board held a meeting recently and Mr. Barker also attended and sees this moving forward with everyone working together. Mrs. Jennings also noted

that a Buildings and Grounds Committee meeting was held prior to Council meeting this afternoon and another is scheduled soon and an update will be provided to Council.

Mayor Helms reported there are conflicting dates being reported for the Legislative Breakfast. The Chamber of Commerce Annual Dinner has been moved to Tuesday, November 29, 2016 at 6:00 pm at the RiverFront in Chilhowie. The Salvation Army Red Kettle Drive will begin on November 22, 2016. The culvert replacement on Matson Drive was very well organized and the job was completed quickly. The Virginia Wildlife magazine has an article about bear hunting in Saltville and also mentioned the Lincoln Theatre and Song of the Mountains.

Mr. Jennings gave an update on the Parks and Recreation departments. Under the new concussion policy, 7 players have been removed from games and practices and after a doctor's evaluation released to return to the program. The Park Facilities will be winterized next week. The Senior Citizen Thanksgiving meal will be served to Seniors November 22, 2016 at 11:15 at the Senior Citizen building.

Mr. Perry reported the new garbage truck is in service. The Eagle Scout project at the Riverwalk looks good and the steps there will be repaired in the next couple months. Public Works now has two offender crews working.

Chief Anders thanked Mr. Heath and Mrs. McDonald for such a successful Halloween Madness event. An advertisement has been placed for the police officer vacancies.

Mr. Heath will be doing a presentation at the Virginia Tourism Conference November 14-15, 2016. He will be representing the Town at the Governor's Housing Conference November 16-18, 2016. He and Mrs. McDonald will be promoting local events on television the next two Wednesdays.

Mr. Hicks reported that the culvert replacement on Matson Drive finished ahead of schedule and went well. Bids for the East Chilhowie Street Bridge repairs were received Friday afternoon. The only bid received was from Ken Morrison in the amount of \$78,600. This is the same company that did the repairs on the bridge in 2010. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES the bid from Ken Morrison for repairs on the East Chilhowie Street bridge was accepted in the amount of \$78,600. This will be covered by Insurance. There were 31 leaks detected during the leak detection study. There have been 8 repaired so far and 4 are scheduled to be fixed this week. Phase I water project has installed 1,200 feet of water line. There was a pre-construction meeting last Friday on the Phase I sewer project. Jim Talley, retired General Dynamics Engineer, is doing a comprehensive fire hydrant study. There are approximately 280 fire hydrants in the system. There are 54 of those needing repairs and 21 of those have been bagged/taken out of service temporarily. The property maintenance code will be implemented on Henry Street on November 16, 2016.

Mr. Rush reported that he and Mr. Heath will be working on the Streetscape project tomorrow. The asphalt tank has been removed from the Town Shop. Jen Surber arrived. Mr. Rush introduced Ms. Surber. She noted her company has made an offer on property at the Country Club Crossing apartments. She will have a packet of information at the next meeting and a Resolution will need to be approved. The scope of the rehab is \$40,000 to \$43,000 remodel of each unit. Mrs. Jennings left.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-7) and (A-29) upon motion of Dr. Gates, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of litigation and negotiations. Dr. Gates 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 Town Clerk polled the Council Members. Messrs Cornett, Weaver, Carter, Barker, Dr. Gates and Spencer voted affirmatively.

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

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Mayor

Clerk