

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 7, 2015 at 5:30 p.m.

PRESENT: Mayor Helms, Jim Barker, Larry Carter, Bill Weaver, Tricia Spencer 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; Assistant Town Manager/Town Engineer Cecil Hicks; Town Engineer Assistant Todd Long; Police Chief Rex Anders; Police Officers Adam Bolling and James Yonts; Economic Development Director Ken Heath; Marion Downtown Director Olivia McDonald; Wayne Henderson Appalachian School of Arts Director Catherine Poole and Golf Course Manager Terry Jennings.

ABSENT: Dr. Jim Gates.

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

VISITORS: Michael & Susan Edwards, Avery Cornett, Bob Lincoln, Scott Schumaker, Charles Hayden, Charlie Harrington, Herbie Clay, Debra Carter, Mike Wright, Lana Wright, Akeya Wright, Laura Wright, Kristin Untiedt-Barnett, Ed & Karen Fouts, Joe Ellis, Sam Russell and Carla Rejas.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, the minutes of the meeting held June 15, 2015 were approved as written. Messrs Weaver, Barker, Carter, Spencer and Jennings voted affirmatively.

MINUTES: Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 5 AYES and 0 NOES, the minutes of the meeting held June 30, 2015 were approved as written. Messrs Weaver, Barker, Carter, Spencer and Jennings voted affirmatively.

AGENDA: Upon motion of Mrs. Jennings, seconded by Mr. Carter and a vote of 5 AYES and 0 NOES, the Agenda was approved as distributed with the addition of two items under the Town Manager, Appalachian Musical Heritage Request and a citizen request for backfill.

Chief Anders introduced two recently hired Police Officers. James William Yonts, III has a master's degree in Criminal Justice from Radford University. James Adam Bolling, a former staff Sergeant in the United States Air Force, has a degree in police science from Wytheville Community College. Mayor Helms swore in Adam Bolling.

PUBLIC PRESENTATION: Charles Hayden, 726 South Church Street, addressed the ongoing issue with the flooding on South Church Street and requested an update on the VDOT Project Plan to correct the issue. Mr. Rush is to arrange a meeting with VDOT to request an update on this project.

Carla Rejas, 719 West Drive, noted the First Baptist Church at 330 Franklin Street will have a 150 year celebration on August 23, 2015 at 3:00 pm.

Charlie Harrington noted the Marion Redevelopment and Housing Authority is interested in working with the community to alleviate the housing shortage. The interest is to construct quality brick units for students and single family dwellings. A nonprofit agency would be developed under the Marion Redevelopment and Housing Authority called Crown Development. Mr. Harrington left and returned with a copy of the Resolution. Mr. Rush read the Resolution aloud. Upon motion of Ms. Spencer, seconded by Mr. Carter and a vote of 2 AYES and 3 NOES, the motion to accept the Crown Development Resolution failed due to the request from Mr. Fenyk to review. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, the Crown Development Resolution was approved pending review of the Town Attorney.

Mrs. McDonald noted the EBT machine for the Farmers Market has been received and will hopefully be implemented by Saturday's Farmers Market. Holy Ghost Tent Revival will perform this Friday for the Concert Series. The Chili Cook Off will be next Friday, July 17, 2015. There are 11 teams registered at this time. Main Street will be closed from 5:00 pm until midnight for the event. Saturday, July 18, 2015 Main Street will be closed from 2:00 pm until midnight for the Downtown Festival. There were 45 participants in the 5K race Saturday. A letter of support is needed for the Great American Main Street Award. The

Town of Marion has received a VML Achievement Award for the Pop UP Boot Camp Program. Upon motion of Mrs. Jennings, seconded by Mr. Weaver a letter of support will be written for the Great American Main Street Award.

Mr. Barker expressed his concerns regarding the Lincoln Theatre and what is best for the Town of Marion. The Lincoln Theatre needs an agreement with the Town of Marion. Mr. Barker asked Mrs. Untiedt-Barnett, the Executive Director, how many underwriters had been contacted since the last meeting and her reply was none. Mrs. Untiedt-Barnett responded that she will work with other partners if Song of the Mountains is retained and it has always been the goal to retain Song of the Mountains. Mr. Barker noted as a primary underwriter, the Town of Marion request something in writing. Mr. Barker closed with the comment that there has been no valiant effort from the Lincoln to do fundraising. Mrs. Fouts expressed her concern about Mrs. Jennings voting on both boards.

Mrs. Jennings noted she had spent 10 days at Hungry Mother State Park and had spoken with many visitors and had received a great deal of positive feedback about Marion. Mrs. Jennings requested Mrs. Untiedt-Barnett to review the request from the Lincoln Theatre for the first allocation of the new fiscal year. Mrs. Untiedt-Barnett distributed a packet which included the list of Board of Directors as well as the approved budget. She reviewed upcoming events and noted the line up for the Song of the Mountains show cancelled by Doyle Lawson will be announced as soon as available. She also noted a meeting was held last week with the Appalachian Musical Heritage group and the negotiations need to be private. Ms. Spencer asked what fundraising was currently being done. Mrs. Untiedt-Barnett noted she is focusing her time on other aspects. The question still remains "Why is fundraising not being done?" Mayor Helms reviewed the request for funding from the Town by July 10, 2015. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 4 AYES and 1 NO, this request will not be paid at this time but will be reconsidered at the next meeting.

Mr. Ellis spoke on behalf of the Appalachian Musical Heritage Group noting he had been busy fundraising and has a meeting with a billion dollar company in two months. Mr. Ellis noted Tim White's network is a huge asset for Song of the Mountains. Mr. Ellis and Mr. Russell have met with UNC. Mr. Ellis noted that Tim White will consider returning.

Mayor Helms thanked Mr. Heath and staff for the Town and County quarterly meeting. The Wayne Henderson Appalachian School of Arts Grand Opening was great. He also thanked Ms. Poole for her hard work with the School. Mayor thanked all those that helped with the VFW flag at the Elementary School and Mr. Hicks distributed a picture of the finished product.

ADOPTION OF THE VIRGINIA CODE AS AMENDED JULY 1, 2015: Mr. Fenyk noted that the Town needs to adopt those changes. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 5 AYES and 0 NOES, the Town adopted the Code of Virginia as amended July 1, 2015.

Mr. Jennings reviewed the programs at the Golf Course, Recreation Department and Senior Center.

Mr. Rush gave the report for the Public Works operations and noted Tony Muncy is doing a great job with the mowing and special events. Gary Dunavan is also doing a great job and the water crew is extremely busy.

Chief Anders reviewed the Amber Alert and was thankful it ended with everyone safe. The Marion Police Department extended the service area to assist with the patrols for the County during this time.

Ms. Poole expressed her excitement about the wonderful open house for the Wayne Henderson Appalachian School of Arts. She has received a VCA Grant for \$3,600. A fee structure has been set and will be re-evaluated in three months. There will be private lessons, rental income, workshops and continual classes with a 70/30 split to earn revenue. Uncorked Painting Party will be July 24, 2015 from 7:00 pm until 10:00 pm with a registration fee of \$35.

Mr. Heath reported the Collins House Inn received a Beautification Award. Ms. Poole has received approximately \$10,000 in Grants and Mrs. McDonald has received approximately \$17,000 in Grants. Mr. Heath noted to Council that the VML Achievement Award will be presented during the October VML Conference.

Mr. Hicks noted Town Street sewer line was finished today; however, the Town will wait for some settling to take place before paving. Wilden Street Water Line Replacement Project is about 50% complete.

Mr. Rush reviewed the CIRP plan, Capital Infrastructure Replacement Plan.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), (A-3) and (A-7) upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 5 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of personnel matter, consideration of the acquisition of real property and consultation with legal counsel. 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 5 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Spencer, Weaver, Carter, Barker and Jennings voted affirmatively.

Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, Mr. Rush is to pursue negotiations for real property.

Upon motion, duly seconded and a vote of 5 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk