

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 October 9, 2014 at 5:30 p.m.

PRESENT: Mayor David Helms, Dr. Jim Gates, Jim Barker, Jim Owens, Suzanne Jennings, Tricia Spencer, Larry Carter and Bill Weaver 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; Police Chief Rex Anders; Economic Development Director Ken Heath; Marion Downtown Director Olivia Hall McDonald (arriving late); Golf Course Manager Terry Jennings and Police Sergeant Kevin Testerman.

ABSENT: None.

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

VISITORS: Jeff Spickard, Mike and Susan Edwards, Debbie Hoover and Cynthia Poston.

MINUTES: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the minutes of the meeting held September 15, 2014 were approved as written. Messrs Gates, Weaver, Barker, Owens, Carter, Spencer and Jennings voted affirmatively.

AGENDA: Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the Agenda was approved with the addition of Property Maintenance Code under Town Manager and an addition under closed session for Legal A-3.

PUBLIC PRESENTATION: Debbie Hoover, 215 East Orange Street, reported an issue she is having regarding the neighbors placing their trash on her property. She also reported that the unpaved road of East Orange Street is in very poor condition. Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, Mr. Rush will follow up on this request and report at the next Council meeting.

Chief Anders introduced Kevin Testerman, the newly promoted Police Sergeant.

PUBLIC HEARING BOUNDARY ADJUSTMENT: Mayor Helms opened the Public Hearing and Mr. Rush reviewed the Boundary Adjustment noting some language had been changed for the final submission per the recommendation of the Commission on Local Governments, but that they were technical in nature and no substantive changes were made from the original document used at the May public hearing on the boundary adjustment. The document will now be submitted to the Circuit Court by the Town and County Attorneys. With no public comments Mayor Helms closed the Public Hearing.

Mr. Barker reminded everyone of the Joint Public Hearing on the rezoning issue which will be held at the next Council meeting on October 20, 2014. He was appreciative of the opportunity to attend the VML Conference.

Mr. Owens thanked everyone for the opportunity to attend the VML Conference.

Dr. Gates also was appreciative for attending the VML Conference. He spoke at an event at General Dynamics in celebration of the manufacturing of the 500th FA 18 radar unit. He noted it was a very nice ceremony and he was appreciative of General Dynamics being an employer in the Town of Marion.

Mrs. Jennings repeated her appreciation for attending the VML Conference and noted she was proud of Mayor Helms.

Mr. Weaver noted he also was proud of Mayor Helms and also Ken and Olivia for their presentations.

Mr. Carter noted he enjoyed the seminars at the VML Conference.

Mayor Helms was appreciative for all the support at the conference. He attended the Mayor Institute on Saturday and Sunday and reported that it was a very large group. Mayor Helms noted that Ken and Olivia's Pop Up Sessions were presented 3 times and were very well attended. The RiverBend Amphitheatre Concert was held on Sunday, September 28, 2014 at 4:00 pm and was very well attended.

The next VML Program will be in Wytheville on October 29, 2014. The next Legislative Day will be held on January 28, 2015 in Richmond.

Mr. Fenyk thanked Council for allowing him to attend the VML Conference as well. He also noted that the Governor has asked Ken and Olivia to present their Pop Up Program on a state level.

Ms. Stanley thanked Council for allowing some of the staff to attend the VML Conference and she also noted she was proud of Mayor Helms.

Mr. Jennings also thanked Council for allowing him to attend the VML Conference and he noted that the Mayor gave an excellent speech. He reported on the signups for the Recreation Department. District III will hold a ribbon cutting on October 20, 2014 at the Senior Citizen Center for the new program, Friendship Cafe. The Seniors are working on a Halloween Party and items for the Christmas Market. The Golf Course has submitted a request to the Williams-Berry Foundation for funds to build a driving range.

Mr. Rush reported for the Public Works Department. The Department has started asphalt patching. Brush pick up continues to be a challenge. The next item on their agenda will be leaf pickup.

Chief Anders thanked Council for allowing him to attend the VML Conference. He attended three workshops while there. He noted that Mayor Helms did a great job on his out-going President's speech. He noted interviews for the open Police Officer position will begin soon. Uriah Farris will complete his training at the Academy in December and he is doing an excellent job.

Mrs. McDonald's report was given by Mr. Heath. She is attending a Downtown Board meeting. He reminded everyone of the USAR 760th Homecoming on Friday, October 24, 2014 at 10:30 am at the Town Hall. Scarecrow Lane will be held again this year from October 23-30, 2014. November 29, 2014 is "Shop Small" Day.

Mr. Heath noted that Mrs. McDonald did an excellent job presenting the Pop Up Workshops. The Virginia Tourism visit is receiving great media coverage. The Branding Charrette Team will be here October 21, 22 and 23, 2014 developing a branding Logo for the Town as part of the Exit 45 Gateway Strategy. The unveiling of the new logo will be on October 23, 2014 at 3:00 pm. After some discussion regarding changing the Halloween events, the events will continue to be held on October 31, 2014.

Mr. Hicks reported that the contractor on the Co Gen Project is still working on a black start. The training has been completed for the staff. He reviewed the water valve replacement in front of WalMart and noted this should be completed in two to three more days. He reported that the VDOT Urban Maintenance Street Inventory has increased our lane miles by .26 additional miles.

Mayor Helms reviewed the Extra Mile Proclamation on page 6 of the packet. Extra Mile Day is November 1, 2014. The nominees will be recognized at the next Council meeting. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the 2014 Extra Mile Day Proclamation was approved as written.

Mr. Rush reviewed the process for the Boundary Adjustment, noting it will be submitted to the Circuit Court, then to the Supreme Court to be reviewed by a panel of three judges not from the area. Mr. Edwards requested the first quarterly installment for the Smyth-Wythe Airport. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7AYES and 0 NOES, staff may restructure Community Development Appropriations to better assist with cash flow. Mr. Rush also reviewed the draft Resolution for the Smyth-Wythe Airport pertaining to the governing bodies of Smyth County, Town of Marion, Town of Wytheville and Wythe County. Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the draft Resolution was approved to go back to Mr. Sutherland for final submission. Mr. Rush reviewed a Sales Tax Letter from Smyth County. Mr. Rush reviewed the steps for adopting the Property Maintenance Code. The Zoning Ordinance Review needs to be completed then we can adopt the Property Maintenance Code and need to be certain to use the 2012 book and adopt all the attachments in the back.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), (A-3), (A-6) and (A-7) upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 7 AYES and 0 NOES, Town

Council entered into Closed Session for the purpose of a personnel matter, discussion or consideration of the acquisition of real property for a public purpose, discussion or consideration of the investment of public funds 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. Mayor Helms vacated the meeting room for a portion of the closed session (A-3) which dealt with land purchase. 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 Gates, Weaver, Carter, Barker, Spencer, Jennings and Owens voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens, and a vote of 7 AYES and 0 NOES, the Town Manager is authorized to enter into negotiations for the purchase of Real Property for a portion of a right of way for a public road, with final purchase approval subject to Council.

Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, a merit increase in the salary for the Town Manager was approved for \$3,000 for an excellent annual job review.

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