

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 19, 2020 at 5:30 p.m.

PRESENT: Mayor David Helms, Vice-Mayor Dr. Jim Gates, Jim Barker, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter and Avery Cornett (arrived late) Council Members; Town Manager Bill Rush, Town Clerk Cindy Stanley, Deputy Clerk Samantha White; Town Attorney Mark Fenyk; Smyth County News Representative Stephanie Porter-Nichols; Police Chief John Clair, Purchasing Agent Billy Hamm; Economic Development Director Ken Heath and Economic Development Deputy Director Alex Veatch.

ABSENT: None.

VISITORS: Police Officer Jeffrey Davis, Joe Naff, CB Gwyn, Carolyn Cooper, Terry Hayden, Cecil Hicks, Rex Anders, Ty Rosenbaum, Travon Brown, Misty Russell, Sabrina Meadows and Herbie Clay.

INVOCATION/PLEDGE TO THE FLAG: Chief Clair rendered the invocation. Mayor Helms led the Pledge to the Flag. Avery Cornett arrived.

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 October 5, 2020 were approved as written. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

AGENDA: Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed with the addition of Travon Brown under public presentation and remove closed session for personnel.

PUBLIC PRESENTATIONS: Mr. Heath read and presented a Resolution in Appreciation of Hayden's World to Terry Hayden. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, a Resolution in Appreciation of Terry, Mabel, Becky and Brad Hayden for Hayden's World was accepted.

Chief Clair recognized Police Officer Jeffrey Davis for his Mothers Against Drunk Drivers Award.

Cecil Hicks, Smyth-Wythe Airport Representative, gave an update on the airport. He thanked council for appointing him to the Airport Commission. He reviewed the fuel prices and the lighting system for the runway.

Travon Brown, 424 Pearl Avenue, read a Declaration regarding Goals and Objectives of the JEPC (Justice, Equality, Peace and Change). Mr. Brown asked that council consider adopting the declaration.

Misty Russell, Bristol, VA, distributed copies of the declaration noting the goal is to dismantle racism. She suggested council may consider their own version of a declaration.

Sabrina Meadows, 248 Pugh Mountain Road, Co-Founder of JEPC, reviewed the goals and asked leaders to denounce hatred.

Herbie Clay thanked council for allowing them to attend tonight's meeting. He wants to reaffirm everyone is created equal.

Mr. Barker read and presented a resolution regarding racism and discrimination. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution regarding council's support against racism and discrimination was accepted. Mr. Barker noted Emmaus Clinic withdrew the application for Special Use Permit. Mount Rogers Community Services rezoning request has been tabled until November.

Mrs. Jennings gave an update on the Lincoln Theatre.

Mayor Helms reviewed the Extra Mile Day Program. Mr. Cornett read a Resolution Concerning Extra Mile Day. Upon motion of Mr. Cornett, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution Concerning Extra Mile Day and declaring November 1, 2020 as Extra Mile Day was accepted. Mr. Cornett recognized Terry Hayden as an Extra Mile Recipient. Mr. Cornett read a recognition letter about Mr. Hayden. Upon motion of Mr. Cornett, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Extra Mile Award for Terry Hayden was accepted. Mayor Helms noted several weeks ago council gave Mr. Heath the authority to move forward with fall and winter events. Due to the ongoing impact of COVID-19 and the inability to enforce the Governors order of mask wearing and social distancing it may be in the best interest of public safety to cancel these events. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the Halloween Madness, Christmas Parade and New Year's Eve events will be cancelled.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the accounts payable were approved for payment as submitted in the amount of \$1,244,433.67. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Cornett and Carter voted affirmatively.

Chief Clair noted the Shop with a Hero Program will be modified this year. A Bullet Proof Vest Grant has been awarded to the Police Department this year. Chief Clair previously did an interview with the news regarding voter intimidation at the polls. Chief Clair noted a house on Sheffey Street will be coming up in a tax sale. Mr. Rush reviewed the last tax sale acquisitions, noting they have been asbestos remediated and are ready for demolition. Chief Clair noted the Police Department is limited by Code of Virginia on blight remediation. Mayor Helms requested a Police Committee meeting with the Town Attorney regarding this issue.

Mr. Heath requested Deputy Clerk Samantha White report on the tax re-structure for the Henderson School. Mrs. White noted the 5 ½ year time frame has been reached in order to begin completion of the process. Mr. Rush noted Mrs. White did a phenomenal job with this complicated process after only two months' employment. Mr. Heath reviewed a list of businesses that applied for Cares Act Grants. Upon motion of Mrs. Jennings, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the list of Cares Act Grants presented for 47 businesses for \$2,500 each was approved.

Mr. Rush reviewed the Cares Act expenditures. He also noted there were 40 leaks detected by the Leak Study Team. These will be repaired before moving forward with the leak study. A public hearing will be set for the next council meeting regarding a sewer ordinance. Paving RFP's have been advertised.

Ms. Stanley noted the need to consider the 4 Community Development allocations that were not included in the monthly accounts. Discussion ensued. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Library and Song of the Mountains will be paid for the month of October at the current fiscal 2021 budget and the Chamber of Commerce and Smyth County Tourism Center will not be paid for the month of October.

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

Upon motion, duly seconded and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 8:17 pm.

Mayor

Clerk