

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 December 16, 2013 at 5:30 p.m.

PRESENT: Mayor David Helms; Dr. Jim Gates, Tricia Spencer, Suzanne Jennings, Bill Weaver, Jim Barker, Jim Owens and Larry Carter Council Members; Town Manager Bill Rush; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Town Engineer Assistant Todd Long; Police Lieutenant Rex Anders; Purchasing Agent Billy Hamm; Economic Development Director Ken Heath; Marion Downtown Director Olivia Hall; Senior Citizen Center Director Mindy Dyer, Smyth County News Representative Stephanie Porter-Nichols; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: None.

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

VISITORS: Charles Wassum, Jeff Spickard, David Thomas, Susan Edwards, Mike Albano and Bob Lincoln.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the minutes of the meeting held December 2, 2013 were approved as written. Messrs Gates, Weaver, Owens, Carter, Spencer, Jennings and Barker 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 with the addition of the monthly accounts.

PUBLIC PRESENTATION: Mr. Albano spoke on behalf of the Eric Albano Soccer Association. He thanked everyone for their help with the Gobbler Gallop and he would like to thank one employee that helped with this event as that employee went above and beyond what was expected.

Mr. Barker noted he is working on the Arbor Day Renewal Application which is due by the end of this month.

Dr. Gates noted he was pleased at the number of Town events held this month.

Ms. Spencer noted the Friday night Downtown event was great and she thanked those two businesses that started this event.

Mayor Helms attended VML meetings in Richmond Thursday and Friday. There has been a Transition Committee formed to identify issues of most importance to local governments. Mayor Helms will share with Council a summary of these meetings at a later date. The Blue Ridge Job Corps Holiday Luncheon will be held on December 18, 2013 at noon. The Senior Citizens Holiday Meal will be tomorrow at 11:30 am at the Senior Citizens Center. Mayor Helms attended the Marion Life Saving Crew Christmas Dinner Saturday night.

Mr. Fenyk noted that the Circuit Court Judge has appointed Brian Joseph Reed to the Board of Zoning Appeals to fill the unexpired term of Dr. Henderson Graham and reappointed William C. Buchanan, Jr.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the accounts were approved for payment in the amount of \$1,075,775.94.

Lieutenant Anders thanked Mr. Heath and Ms. Hall for all their help with the recent Downtown events.

Mr. Heath noted interviews for the Director of the Wayne Henderson School of Appalachian Arts have been completed and it has been narrowed down to two applicants. A recommendation will be presented to Council at the next meeting. Mr. Heath noted Ms. Hall had accepted the position as Marion Downtown Director. Ms. Hall thanked Council for allowing her to be the Marion Downtown Director. Mr. Heath noted there are several events scheduled for New Year's Eve.

Mr. Hicks noted the Generator Manufacturer and the Contractor with the Co Gen Project will attend the Council meeting when the last pay request is processed. Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, pay request #20 in the amount of \$23,772.80 was approved for payment with a referral to the Sewer Committee for discussion of the retainage. Mr. Hicks reviewed pay request #3 for Edwynne Water Line Replacement and also noted there will be another pay request for paving and retainage. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, pay request #3 in the amount of \$31,467.49 was approved for payment.

Mr. Rush noted in regards to the Gateway IT Project there have been some install dates set. Mr. Long reviewed the install dates for each department. Mr. Rush thanked Mr. Long and Mr. Breen for working on this project and they have done an exceptional job. There was a pigeon problem at the Parking Garage which has been solved. The Mount Rogers Planning District Commission Year End Financial Statement has been received and is on file in the Clerk's office.

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 7 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of personnel matters, discussion or consideration of the acquisition of real property for a public purpose and a potential legal issue. 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 Weaver, Carter, Barker, Owens, Dr. Gates, Jennings and Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the Town Manager and the Town Clerk are to work on compensation for Mr. Anders for accrued vacation time destined to be converted to sick time for the period of time that he has fulfilled the position of interim Police Chief, working above and beyond his designated position.

Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the Town Manager and the Town Attorney are to adopt the Resolution of Support as presented and hereby attached.

Upon motion of Mrs. Jennings, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the Town of Marion authorizes the Town Manager and the Town Attorney to finalize the boundary adjustment agreement submission in conjunction with Smyth County within the guidelines or what has been presented and for the Town Manager to make the submittal to the Local Commission on Government at their January meeting. Messrs Weaver, Carter, Barker, Owens, Dr. Gates, Jennings and Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the Town Manager is empowered to negotiate for the purchase of property previously discussed and return to Council with a draft deed for further review and recommendations.

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

Mayor

Clerk