

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 February 6, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Jim Owens, Bill Weaver, Jim Barker and Dr. Jim Gates Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Police Lieutenant Rex Anders; Police Chief Mike Roberts; Economic Development Director Ken Heath; Town Clerk/Director of Finance Cindy Stanley.

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

VISITORS: Dr. Charles Wassum, Dan Kegley, Jeff Spickard, Charles Harrington, Howard Burton, David Thomas, John Tate, Ralph Price, Phyllis Forrester, Melody Myers, Bill Huber, Jerry Harmon and Michael Albano.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the minutes of the meeting held January 17, 2012 were approved as written. Messrs Barker, Owens, Weaver, Gates, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC PRESENTATIONS: Mr. Bill Huber proposed to the Street Committee moving two planters closer to the building in front of Sever Brown Funeral Home and Marion Flower Shop. Also there is a crosswalk that seems more appropriate to be shifted down closer to the intersection at this same location. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, Council allows the Street Committee, Mr. Hicks, and the contractor to make this decision in the best interest of the Town and the citizens.

Mr. Michael Albano as a representative for the First United Methodist Church and the Eric Albano Association requested the use of the Riverbend Park for a soccer league. The events will begin May 28, 2012 until the end of July. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, this was referred to the Recreation Committee and the Buildings and Grounds Committee.

Mr. Charles Harrington gave an update on the office of Emergency Management as requested by Mayor Helms. A new emergency management operations plan has been put into effect this year. The plan is in the printing process. There are 17 emergency support functions spelled out in the plan regarding regulations in sheltering individuals. The new emergency plan meets ADA (Americans with Disabilities Act) guidelines. The Board of Supervisors approved the purchase of a new truck for emergency management. The new EOC (Emergency Operations Center) will be ready hopefully in about one year.

REPORT ON METER CHANGES IN BOOK 1: Mr. Hicks estimated that many of the old meters are about 32 years old. The result of the meter replacement was better than anticipated by the pilot test. Results showed that the new meter readings are up approximately 68.2% in gallons. Mount Rogers Planning District Commission helped to fund the meter replacements. Water revenues will change in the next year due to the accuracy of the new meters and also water accountability will improve.

REPORT ON REQUESTED STREET LIGHT AT PARK BOULEVARD: Mrs. Jennings stated the Street Committee had met regarding this issue and there is a concern about the effect on Park Place Drive-in. Mr. Jerry Harmon stated the street light would effect about seventy-five percent of the drive-in viewing area. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the request for a street light is not recommended.

MR. JOHN TATE ON STAGE STREET: Mr. Tate noted he had sent requests for information to both the Town and the School Board. He also noted Mr. Clark had been timely in his response. However there were not many documents produced. Mr. Tate stated his concern to be that traffic will drive across his property as a short cut.

PRESENTATION OF STAFF RECOMMENDED USES OF MT ROGERS PDC MONEY AT SEWER TREATMENT PLANT: Mr. Clark noted the Engineer and the Sewer Treatment Plant staff have proposed recommendations for the uses of the money from Mount Rogers Planning District Commission. Mr. Spickard noted the recommendations cover everything and the generator is not necessary at this time. Dr. Gates inquired about deadlines and per Mr. Clark, there are no deadlines imposed yet. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the recommendations are referred to the Sanitation Committee.

Mr. Spickard gave an update on the Sewer Treatment Plant Project per Dr. Gates request. All equipment has been received. There is a small voltage issue. Upon connecting the UV equipment, it was determined the voltage supply is higher than what the manufacturer recommends.

GOLF COURSE COMMITTEE ON A VARIETY OF SUBJECTS: Dr. Gates noted the Golf Course applications are still being reviewed. The banquet facility has been advertised with no interest or bids received. A Turf Management Specialist from Virginia Tech has indicated willingness to help with preparation of the greens. The title search and survey are very close to completion.

STREET COMMITTEE ON MOVING FORWARD ON STAGE STREET: Mr. Fenyk noted the survey prepared by Gale Maiden was based on a forty foot road and the survey by T. W. Burkett was based on a thirty foot right-of-way. The School Board has verbally agreed to donate any necessary property for widening the pavement to match the existing road. Discussion Ensued. Upon motion of Mr. Owens, seconded by Dr. Gates and a vote of 6 AYES, 0 NOES AND 1 ABSTENTION (Ms. Spencer), the Town will proceed with the Stage Street Project as requested by the School Board.

COUNCIL & STAFF REPORTS: Mrs. Jennings inquired about the sidewalk on Broad Street being too large. Mr. Heath noted both sides are handicapped accessible.

Mr. Owens has received a complaint in regards to 720 South Church Street needing to be cleaned up.

Mayor Helms thanked Mr. Fenyk for the Freedom of Information In-Service. There will be a Black History Month Program on February 19, 2012 at 2pm at the Franklin Street Baptist Church. The March of Dimes have requested May 4, 2012 for their annual walk. Upon motion of Mrs. Hale, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, the March of Dimes Walk was approved. The Memorial Day Parade

will be Sunday afternoon May 27, 2012. The next Council meeting will be held Tuesday February 21, 2012 due to the holiday.

Mr. Fenyk noted that in regards to Baughman Avenue Bridge VDOT has requested the Town show to them this is a dedicated street and not part of a park. Mr. Hicks will have this surveyed. Upon motion of Mr. Weaver, seconded by Mrs. Jennings, and a vote of 7 AYES and 0 NOES, this was approved to be surveyed.

Mr. Heath noted the Parking Deck installation is to begin Monday morning. The staging area will be the old Mitsubishi Dealership. The fabricated pieces will be brought through town on eighty foot trailers. This process will be from 7am – 7pm Monday through Friday for approximately two months. There will be a Virginia Main Street on-site visit here in April. A restaurant presentation will be done in Abingdon and a retail presentation done here in Marion.

Mr. Heath received pay requests #2 and #3 for the Streetscape Project in the total amount of \$75,382.50. Upon motion of Mr. Owens, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, pay requests #2 and #3 for the Streetscape Project were approved in the total amount of \$75,382.50.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (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 consulting with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation. 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 vote of 7 AYES and 0 NOES. The Town Clerk polled the Council Members. Dr. Gates, Messrs Barker, Owens, Weaver, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

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

Mayor

Clerk