

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 16, 2012 at 5:30 p.m.

PRESENT: Mayor David Helms; Larry Carter, Tricia Spencer, Bill Weaver, Jim Owens, Dr. Jim Gates and Jim Barker Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Police Lieutenant Rex Anders; Economic Development Director Ken Heath; Purchasing Agent Billy Hamm; Town Clerk/Director of Finance Cindy Stanley.

ABSENT: Suzanne Jennings.

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

VISITORS: Charles Wassum, Lyn Thompson, Joe Naff, C B Gwyn, Lida Mitchell, Jeff Spickard and Brian Reed.

MINUTES: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the minutes of the meeting held July 2, 2012 were approved as written. Messrs Barker, Weaver, Owens, Carter, Dr. Gates and Ms. Spencer voted affirmatively.

PUBLIC PRESENTATIONS: Mr. Clayborne Gwyn, 1503 Park Blvd, complimented the Town on the Streetscape project. He also noted that Mr. Heath was doing a great job with the Streetscape project. However, Mr. Gwyn still has a problem with a hole on his property.

Joe Naff, 148 Countryside Drive, spoke about damage done in reference to the hole as spoken by Mr. Gwyn earlier.

Mr. Clark noted the Town of Marion has received an Achievement Award from VML which will be presented September 25, 2012 in Williamsburg.

PUBLIC HEARING PROPOSED FLOOD PLAIN ORDINANCE: Mr. Hicks reviewed all information pertaining to the Flood Plain Ordinance. Mayor Helms opened the Public Hearing. Ms. Lida Mitchell 609 South Church Street, commented in regards to her cost of flood insurance. Mr. Clark informed her he would be glad to help her with this issue. Mr. Wassum asked if someone from FEMA had actually done an onsite visit to some of these homes. Mayor Helms closed the Public Hearing.

COUNCIL ACTION ON PROPOSED ORDINANCE: Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Flood Plain Ordinance was approved.

APPROVAL OF PAY REQUEST #8 ON SEWER TREATMENT PLANT BIOGAS DIGESTER PROJECT: Mr. Clark reviewed the pay request and recommended approval of payment. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, pay request #8 in the amount of \$58,082.00 was approved for payment.

APPROVAL OF PAY REQUEST #8 ON PARKING DECK: Mr. Clark reviewed the pay request and recommended approval of payment. Upon motion of Mr. Owens, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, pay request #8 in the amount of \$23,217.52 was approved for payment.

REPORT ON PLAT ON RESULTS OF SURVEY ON PROPERTY AT PENDLETON AND EAST MAIN: Mr. Hicks noted the plat will be ready on Friday. Discussion ensued. The surveyor will certify the plat and survey. Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this item will be continued until the Town receives the plat from the surveyor.

ACCOUNTS: Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$436,233.37.

INVESTMENTS: Upon motion of Mr. Owens, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the investment report was accepted.

RECOMMENDATIONS FROM PLANNING COMMISSION ON UNEXPIRED TERM ON PLANNING COMMISSION: Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, Avery Cornett was appointed to Marion Planning Commission.

REQUEST FROM CITIZEN ON SPRINKLE AVENUE ON NO PARKING SIGN: Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this item was referred to the Street Committee.

APPOINTMENT OF VICE-MAYOR: Upon motion of Mr. Owens, seconded by Mr. Barker and a vote of 5 AYES, 0 NOES and 1 ABSTENTION (Dr. Gates), Dr. Jim Gates was re-appointed Vice-Mayor.

MOUNT ROGERS PLANNING DISTRICT COMMISSION ON DHCD APPROVAL LIST FOR 1908 SCHOOLHOUSE: Mr. Heath and Mr. Reed reviewed this project and noted this project is all Grant and will be no cost to the Town.

1. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Project Budget was approved.
2. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Public Notice for Female and Minority Owned Businesses was approved.
3. Upon motion of Mr. Weaver, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Local Business and Employment Notice was approved.
4. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Request for Qualifications was approved allowing Mr. Heath and Mr. Reed to set the dates.
5. Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Request for Qualifications Engineering and Architectural Services was approved allowing Mr. Heath and Mr. Reed to fill in the date.
6. Upon motion of Dr. Gates, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Local (Section 3) Business and Employment Plan was adopted. Upon motion of Dr. Gates, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, Mr. Heath was appointed as the Section 3 Coordinator.
7. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Non-Discrimination Policy was adopted.
8. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Grievance Procedure was approved.
9. Upon motion of Mr. Carter, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Management Agreement will be continued until a contract is signed.
10. Upon motion of Mr. Carter, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, the Residential Anti-Displacement and Relocation Plan was approved.

REPORT ON CORRELATOR STUDY AND STREET PAINTING: Mr. Hicks gave a report on the leak study program and the crew continues to work at night on this. The leaks are being mapped. Mr. Clark noted the painting should be complete by the middle of August.

TECHNOLOGY COMMITTEE ON I-PADS: Mr. Weaver recommends purchasing the I-pads as per the Technology Committee which was given the authority to act last meeting.

ORDINANCE COMMITTEE ON VARIOUS POLICE ISSUES: Upon motion of Mr. Barker, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, this item was continued.

Mayor Helms attended the Virginia Municipal League Executive Committee meeting last week. The Highway Maintenance Funds amount will be known next month. The response and attendance has been very positive to local events. The Southwest District Garden Club will hold an event on August 5, 2012 at the Railroad Depot. A Blue Star Memorial Highway Monument will be placed at the Train Station on

August 5, 2012 at 3pm in honor of World War II Veterans. Spirit of 45 Day will be held August 12, 2012 at 4:30pm at the Court House. The Carnegie School reunion was held this past weekend. The reunion is held every three years. There were two scholarships awarded in the amount of \$1,000 each. The attendance was great with about 80-85 people.

Mr. Heath noted the Chili Cook-off will be held Friday night. The Summer Music Concert Series was very well attended Friday night. The Virginia Department of Transportation sent a letter noting the bridges on Interstate 81 will re-open soon. There will be a class on I-pads for Business held on Tuesday July 24, 2012 at 9am at the General Francis Marion Hotel. There is a small business class scheduled and about 30 people have signed up and committed. The Town maintains the landscaping on the Streetscape project. The Master Gardeners Class may be willing to help with this project.

Ms. Spencer inquired about the schedule for the Street Sweeper.

Mr. Anders noted the inmates are painting the inside of the Police Department.

The Town Picnic was set for August 3, 2012 at Riverbend Park.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-7), (A-3) upon motion of Mr. Weaver, seconded by Mr. Carter and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of consultation with legal counsel and possible purchase of real property for a public purpose. Mr. Weaver 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 vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Barker, Owens, Weaver, Carter, Dr. Gates and Ms. Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 6 AYES and 0 NOES, Mr. Clark and Mr. Fenyk have the authority to work with the Golf Course leasee to be allowed to serve alcoholic beverages and food on the Golf Course.

Upon motion, duly seconded and vote of 6 AYES and 0 NOES, the meeting was adjourned.

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Mayor

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Clerk