

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 April 4, 2011 at 7:00 p.m.

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

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

VISITORS: Jeff Spickard, Sara Kegley, Charles Wassum, III, Kathy Baumgarner, Charles Hayden, Billy Dungan

MINUTES: Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 5 AYES and 0 NOES, the minutes of the meeting held March 21, 2011 were approved as written. Messrs Barker, Weaver, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC HEARING TO CONSIDER MOVING COUNCIL MEETING TO 5:30 PM: Mayor Helms opened the Public Hearing. There was no public comment. Mayor Helms closed the Public Hearing.

COUNCIL MEETING CHANGE OF TIME: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 5 AYES and 0 NOES, Council approved changing the time to hold Council meetings to 5:30 p.m. beginning with the April 18, 2011 meeting. This change will be advertised in the local newspaper in addition to posting the change on the doors of the Municipal Building.

SEWER TREATMENT PLANT BID-PHASE 1 IMPROVEMENTS: Mr. Jeff Spickard, The Lane Group, stated that three (3) general contractors have ordered plans. The bids are due by April 26, 2011 at 2:00 p.m. Mr. Spickard will inform Council of the progression of the project.

SENIOR CITIZENS ADVISORY COMMITTEE: Mrs. Jennings reported that the advisory committee had formed two (2) sub committees. One committee is assessing the repairs that need to be made to the building and deciding whether to utilize the building by renting it to others. The other committee is studying how to transport county seniors to the center.

AUTISM AWARENESS MONTH RESOLUTION: Mr. Heath read the Resolution. Upon motion of Mr. Weaver, seconded by Mr. Barker and vote of 5 AYES and 0 NOES, the Resolution was adopted.

CHILD ABUSE PREVENTION AND AWARENESS MONTH-APRIL 2011: Kathy Baumgarner, Smyth County Department of Social Services, stated that April is designated as Child Abuse Prevention and Awareness Month. She stated that there will be an awareness walk on April 30, 2011 at the Riverwalk. Participants are to wear blue for the Blue Ribbon Campaign. She informed Council that in Virginia a child dies every eight (8) days from abuse and every six (6) days a child 19 or younger is murdered.

Dr. Gates arrived.

Upon motion of Mrs. Jennings, seconded by Mr. Barker and vote of 6 AYES and 0 NOES Council supports the Department of Social Services in the awareness walk at 10:00 a.m. on April 30, 2011 at the Riverwalk.

SIDEWALK HISTORY MARKER-REQUEST FROM MARY ELIZABETH CAMPBELL: Mr. Clark stated that Mrs. Campbell had requested moving the plaque to a location in front of the Campbell home. Mr. Weaver moved that the plaque be moved in front of the Campbell home, Mrs. Jennings seconded the motion. The motion was defeated by a vote of 1 AYE and 5 NOES (Barker, Gates, Hale, Spencer, Jennings). Upon motion of Dr. Gates, seconded by Ms. Spencer and vote of 4 AYES and 2 NOES, this item was referred to the Town Uplift Committee.

HEALTH CARE PLAN RENEWAL: Mr. Clark explained that there was no increase in rates for the next fiscal year. Upon motion of Dr. Gates, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Council approved renewal of Health Insurance Program as proposed from VML with no increase in rates.

APPLICATION FOR RELOCATION OF RED BIRD TAXI-REQUEST FOR PUBLIC HEARING: Lieutenant Anders stated that Ken and Susie Burkett have requested to relocate Red Bird Taxi to 112 North Commerce Street. The Marion Police Department recommended a favorable response to the change of location. Upon motion of Mrs. Hale, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the Burkett's request to change the location of Red Bird Taxi was set for Public Hearing on May 2, 2011 at 5:20 p.m.

MARCH OF DIMES WALK: The March of Dimes Walk will be May 7th, 2011. Mr. Charles Hayden asked Council for permission to have a yard sale at the Riverbend Park amphitheatre area to raise money for the March of Dimes. There will be a fee for table rental and all proceeds will go to the March of Dimes. Mr. Fenyk added that Health Department regulations state that port-o-pots must be available. Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 6 AYES and 0 NOES, council approved the yard sale as long as legal matters and regulations are adhered to.

SMYTH WYTHE AIRPORT COMMISSION: Mr. Billy Dungan presented the 2011-2012 Smyth Wythe Airport Budget. The increase from last budget is approximately 33%. Mr. Dungan stated that several upgrades to the airport had been completed.

PAVING SCHEDULE: Mr. Weaver presented Council with the Spring Paving Schedule. He explained that several streets are in need of paving; however the Street Committee has chose the streets that they feel are in dire need of repair. Mrs. Hale stated that several streets in the town are in need of paving and are not on the schedule. Mr. Weaver explained that the worst streets are on the schedule to be paved first. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and vote of 6 AYES and 0 NOES, the 2011 Paving Schedule was approved with approximately \$43,000 designated for Main Street paving only, due to using Downtown funds. The total cost of paving is approximately \$193,382.

WATER TANK REPAIR ALLOCATED FUNDS TRANSFER TO METER REPLACEMENT: Dr. Gates explained that funds had been designated to pay for water tank repairs in this year's budget. Now, grant funds have been secured for water tank repairs. The Water Committee recommends allocating the unused funds to meter replacements to change out bad meters in order to improve water accountability. Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, Council approved transferring \$20,000 of the \$40,000 in the budget to be used for meter replacements.

RADIO HILL ROAD PUMP STATION: Upon motion of Dr. Gates, seconded by Ms. Spencer and vote of 6 AYES and 0 NOES, this item was continued.

PARK BOULEVARD SEWER CONNECTION: Mrs. Hale stated that the Committee recommends the property owner bid on a franchise in order to cross the Town's right of way. Upon motion of Mrs. Hale, seconded by Dr. Gates and vote of 6 AYES and 0 NOES, staff is to advertise for franchise bids for the property owner to cross the Town right of way to install a sewer line.

CEMETERY ORIENTATION: Mrs. Hale stated that this was an information meeting only and that it was very informative.

TREE DONATION: Mr. Barker stated that John Tate had acquired fifty (50) red oak trees from the Senior Lawyers Commission to be planted anywhere in the Town. Mr. Barker stated that the Boy Scouts have planted the trees.

75th ANNIVERSARY OF VIRGINIA STATE PARKS: Mayor Helms stated that this is the 75th Anniversary of the Virginia State Parks and Hungry Mother State Park is the oldest park in Virginia. The celebration will be held at Hungry Mother State Park for that reason. The celebration will be June 18th 2011.

MARCH OF DIMES WALK: Mayor Helms stated that the walk will be May 7, 2011. The sponsor child is former Councilman Leaman's grandson. The schools are participating in supporting the March of Dimes. The Marion Intermediate School raised \$7,200.

HEARTWOOD: Mayor Helms stated that Heartwood is slated to open June 25, 2011.

FARMER'S MARKET: Mr. Heath stated that the awning at the Farmer's Market has been installed. The project should be complete this week. He also added that the restrooms should be complete by June 1.

STREETSCAPE II PROJECT: Mr. Heath stated that the project will be advertised for bid.

1908 SCHOOLHOUSE PROJECT: Mr. Heath informed Council that the final audit review will be June 18, 2011.

FIREFIGHTERS MEMORIAL: Mr. Heath asked, on behalf of the Marion VFD, that Council schedule a Building and Grounds Committee meeting to discuss erecting a memorial. Upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 6 AYES and 0 NOES, this item was referred to the Building and Grounds Committee.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1) and upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussing personnel matters. Mrs. Jennings moved that Town Council return to Open Session and identified it to 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 Mrs. Hale and carried by a vote of 6 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Barker and Weaver, Dr. Gates, Mrs. Jennings, Ms. Spencer and Mrs. Hale voted affirmatively.

PERSONNEL ISSUE: Upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 6 AYES and 0 NOES, the issue was referred to the Personnel Committee for recommendation and review.

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

Mayor

Clerk