

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 September 20, 2010 at 7:00 p.m.

PRESENT: Mayor David P. Helms; Jane Hale, Jim Owens, Dr. James Gates, and Jim Barker, Council Members; Town Attorney Mark Fenyk; Town Manager John E. B. Clark, Jr.; Town Engineer/Assistant Town Manager Cecil Hicks; Police Chief Michael Roberts; Community & Economic Development Director Ken Heath; Purchasing Agent Billy Hamm, Town Clerk/Director of Finance Susan Clark.

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

VISITORS: Officer Brian Sexton, Fred Widener

MINUTES: Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 4 AYES, 0 NOES, the minutes of the meeting held September 7, 2010 were approved as written. Messrs Owens, Barker, Dr. Gates and Mrs. Hale voted affirmatively.

SAVED BY THE BELT AWARD: Officer Brian Sexton explained that the Virginia Chiefs Association awards the Saved by the Belt Award to a citizen that has been in an accident, but was wearing a seatbelt and it saved them from serious injury. Mr. Fred Widener was in such an accident and he was the recipient of this year's award. Officer Sexton presented the Award to Mr. Widener.

AMERICAN ELECTRIC STUB POLE REMOVAL: Mr. Clark stated that he had spoken with a representative from American Electric Power and removal of the poles will begin the week of September 27th. Mr. Fenyk prepared letters to Comcast Cable and American Electric Power informing them that the unused poles in Town must be removed, not cut off.

PROPOSED RESOLUTION FIRE CALL CHARGES: Mr. Clark informed Council that he had submitted a copy of the Resolution to the Smyth County Board of Supervisors for approval. Mr. Clark will call Mike Carter to make sure the proposed Resolution is on the Boards next Agenda.

UPDATE ON SEWER TREATMENT PLANT UPGRADE: Mr. Clark explained that Rural Development has approved a loan for \$600,000 for the Phase 1 Project at a rate, no higher than 2.38% and could be as low as 2.26%, for 40 years. The engineering proposals are due by September 30, 2010. Mr. Clark hopes to have the recommendation to Council by October the 18th. Mr. Clark added that the Digester Project is underway and he and Town Staff have met with the Engineers, Thompson & Litton to discuss the project.

UPDATE ON PRATER LANE CLOSING: Mr. Hicks informed Council that American Electric Power will remove the poles at the Prater Lane Railroad Crossing this week. Mr. Hicks has met with W-L Construction and they will resume work at the crossing in two (2) weeks. The project is expected to be complete in the spring of 2011. W-L Construction will maintain the road this winter.

ACCOUNTS: Upon motion of Dr. Gates, seconded by Mr. Barker and vote of 4 AYES and 0 NOES, the accounts, in the amount of \$663,240.44, were approved for payment. Dr. Gates asked Mr. Clark to

inquire about the increase in tipping fee charges and asked Mr. Clark check with insurance and see if the repair of the broken window in the backhoe is covered by the insurance policy.

INVESTMENTS: Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 4 AYES and 0 NOES, the Investment Report was approved.

SELECTION OF HALLOWEEN TRICK OR TREAT DATE: Chief Roberts informed Council that he had spoken with Sheriff Bradley concerning observation of trick or treating. It was suggested to observe on Saturday, October 30, 2010 instead of Sunday, October 31, 2010. Upon motion of Dr. Gates, seconded by Mr. Owens and vote of 4 AYES and 0 NOES, the Town of Marion will observe Trick or Treating on Saturday, October 30, 2010.

TOWN OF MARION FLU SHOTS: Mr. Hamm informed Council that Flu shots will be available for Town Employees, Volunteer Fire Department and Rescue Personnel. The shots will include the H1N1 vaccine and will be given October 27, 2010 at the Purchasing Department. Upon motion of Dr. Gates, seconded by Mr. Owens and vote of 4 AYES and 0 NOES, Council approved the Town providing the flu shots.

HOMECOMING PARADE: Mr. Heath stated that the Marion Senior High School Homecoming Parade will be held on Thursday, September 30, 2010. The Homecoming Parade Marshall will be retired MSHS Band Director, Roy Evans and will begin at 6:00 pm.'

RAILROAD/TRAIN COLLECTION-MARTHA COPENHAVER: Mr. Clark stated that the Appalachian Spirit Gallery is interested in displaying Mrs. Copenhaver's collection in the basement of the Gallery. Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 4 AYES and 0 NOES, this item was referred to the Building and Real Estate Committee.

REQUESTED STREET LIGHT AT CATRON AND GRAYBEAL STREETS: Upon motion of Mrs. Hale, seconded by Dr. Gates, and vote of 4 AYES and 0 NOES, the light at the existing American Electric Power pole at the intersection of Catron St and Wolfe Ave will be upgraded from 9500 lumens to 16000 lumens and a light will be added to the existing pole on the corner of Catron and Clark Streets at 9500 lumens.

SEWER TREATMENT INFLUENT PUMP BIDS: Mr. Clark reported that the low bid for the project is \$52,600 from Teaters Trucking, but revisions have been made to the amount due to an estimated overage from the sub-contractor bid. This would lower Teaters bid to \$39,376. Recommendation from staff is to use Sewer Escrow Funds for payment of this project and to forgo the painting of the inside of the high level tank, which is budgeted at \$40,000 this fiscal year. Mr. Clark will get a firm bid from Mr. Teaters. Upon motion of Dr. Gates, seconded by Mrs. Hale and vote of 4 AYES and 0 NOES, the project was approved pending Mr. Teaters bid of no more than \$40,000.

REQUEST FOR GARBAGE PICKUP OUTSIDE THE CORPORATE LIMITS-ANDERSON AVENUE: Mrs. Hale reported that the Sanitation Committee proposes that the residents of Anderson Avenue be offered garbage pickup at \$11.00 per month, which is the current inside rate, with no brush or junk pickup included. Staff will compose a letter to be hand delivered to the residents. Upon motion of Dr. Gates,

seconded by Mrs. Hale and a vote of 4 AYES and 0 NOES, Town staff will survey the residents and report back to Council.

RELOCATION OF SEWER LINE ON MARKET STREET-BILL RUSH, CUSTOM SOLUTIONS: Mr. Hicks stated that Bill Rush represents an owner on Market Street and would like to re-route Market Street and the existing sewer line. It was indicated that the developer is to pay for all costs associated with the re-routing of the sewer line and a preliminary plan is to be submitted to the Town Engineer with a material list showing all of the proposed materials for this project for approval before the line is installed. Upon motion of Mrs. Hale, seconded by Dr. Gates and vote of 4 AYES and 0 NOES, the Town will write a letter granting approval in concept to relocating the sewer line.

SPECIAL USE PERMIT-255 SOUTH MAIN STREET-KRIS GANDHI: Mr. Barker reported that Dr. Gandhi is to present to Council in writing, a master plan for his request. The Special Committee will meet after receipt of the letter to discuss Dr. Gandhi's plans.

MARION PRIMARY SCHOOL PARENT PICKUP: Mr. Barker stated that he had received several phone calls about the traffic problems during parent pickup at the Primary School. Chief Roberts added that the Marion Police Department is aware of the problem and has staff at the school in the afternoons.

PATRIOTS DAY CELEBRATION: Mayor Helms reported that the event was successful, although it rained.

2010 VML CONFERENCE: Mayor informed Council that the 2010 VML Conference will be held October 3-5, 2010 in Hampton, Virginia. Due to the Conference the next Council Meeting will be Thursday, October 7, 2010.

FARMERS MARKET SHED: Mr. Heath stated that bids are due by Thursday, September 23, 2010.

Upon motion, duly seconded and vote of 4 AYES and 0 NOES, the meeting was adjourned.

Mayor

Clerk