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 May 17, 2021 at 5:30 p.m.

**PRESENT:** Mayor David Helms**,** Vice-Mayor Dr. Jim Gates, Jim Barker, Tricia Spencer, Suzanne Jennings, Bill Weaver, Larry Carter and Avery Cornett Council Members; Town Manager Bill Rush, Town Clerk Cindy Stanley, Town Attorney Mark Fenyk; Smyth County News Representative Stephanie Porter-Nichols; Police Chief John Clair, Police Officer Amber Eades, Fire Chief Richard Keesling, Purchasing Agent Billy Hamm and Economic Development Director Ken Heath.

**ABSENT:** None.

**VISITORS:** Dwayne Stamper, John Wayne Stamper, Lorrie Stamper, Billy Stamper, Charles Wassum, III, Donna Bentley and Brittney Miller.

**INVOCATION/PLEDGE TO THE FLAG:** Chief Clair rendered the invocation. Mayor Helms led the Pledge to the Flag.

**MINUTES:** Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the minutes of the meeting held May 3, 2021 were approved as written. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett 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 as distributed.

**PUBLIC PRESENTATIONS:** Billy Stamper, Spruce Street, spoke about the rumor of a march on Memorial Day. He expressed his greater concern about drug epidemic.

Charles Wassum, Wassona Circle, referred to the money that was spent on the last protest. He is of the understanding the town does not have to allow outsiders to protest. He reviewed the result of a Lexington Parade, noting rallies typically agitate to violence.

Mr. Barker noted Kimberly Austin’s term on the Planning Commission will expire in June. She has expressed a willingness to continue to serve. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, Kimberly Austin was re-appointed to Planning Commission. Richard Keesling reported there were 196 calls in May, with 14 of those in 1 day. There were 42% of those calls that resulted in non-transports.

Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, a Public Hearing on the proposed 2021-2022 budget was set for June 7, 2021.

Mrs. Jennings distributed a Lincoln Theatre brochure of upcoming events.

Mayor Helms reminded council members of the Chilhowie Farmers Market and Park dedication tomorrow evening. The Memorial Day Parade will be Monday at 10:00 a.m. Mayor Helms noted the Police Week Resolution was read last Friday. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Resolution in Recognition of National Police Week 2021 was accepted. Mayor Helms presented the resolution to Chief Clair and Officer Eades.

**ACCOUNTS:** Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the accounts payable were approved for payment as submitted in the amount of $1,240,293.97. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

Officer Eades reviewed the draft of the annual report for accreditation. The report showed 2020 with the lowest crime rate in a decade. November is the tentative date for the accreditation process.

Mr. Heath reported the Farmers Market awning replacement materials have arrived. The first Cruise-In was held this past weekend with approximately 40 vehicles participating. The planning for an October 9 Fall Festival is underway. The BAUD program members met today. The Henderson Jam is continuing on Monday nights. Mr. Heath reviewed the need for new officers on the Marion Downtown Board. Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 6 AYES, 0 NOES and 1 ABSTENTION (Ms. Spencer), Ms. Spencer was appointed to the Marion Downtown Board.

Mr. Rush reviewed the American Rescue Plan Act (ARPA) noting some localities over 50,000 population have received some funding already. Work on water repairs continues on the leak detection study. The Water Treatment Plant won the Gold Award in waterworks in Virginia again. Mr. Rush reviewed the Atmos Franchise negotiation process noting Mr. Fenyk will be adding some operational items. Upon motion of Mr. Barker, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, a Public Hearing on the Atmos Franchise will be set for June 7, 2021. The Callan Drive deed has been executed. Mr. Rush reviewed a request to vacate a Right of Way on Columbia Avenue. Upon motion of Dr. Gates, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, a Public Hearing on the Right of Way vacation request on Columbia Avenue will be set for June 7, 2021.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 7 AYES and 0 NOES, Town Council entered into Closed Session for discussion of Personnel matters. 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 Clerk polled the Council Members. Messrs Dr. Gates, Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the Personnel Manual was adopted with minor revisions from time to time through the Personnel Committee.

Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 7:07 p.m.

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Mayor Clerk