

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 7, 2021 at 5:30 p.m.

PRESENT: Mayor David Helms, Vice-Mayor Dr. Jim Gates, Jim Barker, Tricia Spencer, 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 Lieutenant Rusty Hamm, Fire Chief Richard Keesling, Economic Development Director Ken Heath, Purchasing Agent Billy Hamm and Deputy Clerk Samantha White.

ABSENT: Suzanne Jennings.

VISITORS: Charles Wassum, III, Erwin Rowland, Tammy Murray, Ralph Price, Anna Aulla, Halley Wair, Danielle Woolf, Lauren Campbell, Jazlyn Frankenfield, Parthika Patel, Hannah Dolan, Hannah Lockcuff, Tilia Fu, Kayley Gilbert, Haroon Taiveed, Mitch Armbrister, Garrett Zeigler, Korbin LeClark, Nicole South, Brittany Asante, Sarah Ziegler, Chris O'Sullivan, Tanner Cox, Marcus Johnston, Megan Jawby, Maryah Sydner, Andrew Nguya, Lindsey Nguya, Jon Burrett, Haley Jacorde and there were 4 attendees unidentified, see sign in sheet.

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

MINUTES: Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the minutes of the meeting held August 16, 2021 were approved as written. Messrs Gates, Barker, Spencer, Weaver, Carter and Cornett voted affirmatively.

AGENDA: Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the agenda was approved as distributed with two additions under Town Manager for Parade Permits for Marion Senior High School and a Public Hearing on September 20, 2021.

PUBLIC HEARING SWEET BEE CUPCAKERY SPECIAL USE PERMIT: Mr. Rush reviewed the Special Use Permit for Tammy Murray at 222 Severt Street for a mobile food trailer. The mobile food trailer will be parked there overnight. There is an approval letter from the property owner. Mayor Helms opened the public hearing. With no public comments Mayor Helms closed the public hearing. Upon motion of Mr. Cornett, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Special Use Permit for Sweet Bee Cupcakery at 222 Severt Street was approved.

PUBLIC PRESENTATIONS: Erwin Rowland, 739 Park Blvd, addressed the procedures for the rezoning request on Culbert Drive. She recalls previously, large signs were placed on the property and certified letters were sent to the adjacent property owners. She has not received a certified letter yet. Ms. Rowland continued noting she is an adjacent property owner. Ms. Rowland requested council to postpone the Public Hearing until the traditional timing, advertising and letters can be carried out. Mr. Rush noted the sign will be placed this week and the certified letters will be going out this week also. Mr. Fenyk reported the advertisement was legal and timely.

Ralph Price asked for clarification of the intended use of Mount Rogers Community Services for Culbert Drive rezoning. Mr. Fenyk reported that Council can consider proffers on rezoning requests.

Dr. Wassum noted he is appreciative of September 17, 2021 Constitution Day commemorating the Constitution of the United States. Dr. Wassum noted he is a proponent of reading the Virginia Constitution.

Upon motion of Mr. Barker, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, a Resolution in memory of Mr. William Fields will be drafted.

Mr. Cornett reviewed the Holston Hills Community Golf Course rehabilitation while under town ownership.

Mayor Helms reviewed Constitution week. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Proclamation for Constitution Week 2021 was accepted.

Mr. Fenyk reviewed 4 upcoming Public Hearings; BPOL due date change to March 1 each year, a proposed amendment to the Elderly and Disabled Tax Relief form, an Election Day change ordinance and documents required for the Cigarette Tax Rate.

Lieutenant Hamm reported the emergency equipment for police vehicles has been received. A USDA Grant was utilized for this equipment. The department operations are still challenging due to being short-staffed; however, there has been no loss of services to citizens.

Chief Keesling reported a total of 241 calls for the month of August. Mr. Rush reviewed Automatic Aid that allows local departments to share equipment and personnel under certain circumstances.

Mr. Heath reviewed the fall events for Marion. The next round of Pop Up Marion will begin October 7, 2021 at the Henderson School.

Mr. Rush reviewed current projects. The Columbia Street Right of Way Survey is complete. Mr. Rush reviewed a rezoning request for 1051 North Main Street. Upon motion of Mr. Cornett, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, a Public Hearing will be set for September 20, 2021 for a rezoning request at 1051 North Main Street. Mr. Rush reviewed two parade permits from Marion Senior High School. The first permit application is for September 23, 2021 from 7:00 pm – 7:30 pm for the Homecoming Parade, with Police to block off streets. Upon motion of Mr. Weaver, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the Parade Permit application for September 23, 2021 for the Homecoming Parade was approved. The second permit application is for September 25, 2021 for a street closure for a Homecoming Dance. The request is for a street closure of Broad Street from 6:00 pm to midnight. Lieutenant Hamm suggested using barriers and ample signage. Ally White, Marion Senior High School SCA representative, was available for questions. She noted the school had asked for the students to submit 3 proposals for locations for the dance. Other locations were discussed due to security concerns. Lieutenant Hamm's recommendation was the use of Broad Street for this event. Upon motion of Mr. Cornett, seconded by Mr. Carter and a vote of 4 AYES and 2 NOES, the permit application for the

use of Broad Street for the Homecoming Dance was approved subject to logistical considerations per Lieutenant Hamm.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-6), upon motion of Mr. Weaver, seconded by Ms. Spencer and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for discussion of Investment of Public Funds. 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 Ms. Spencer and carried by a vote of 6 AYES and 0 NOES. The Clerk polled the Council Members. Messrs Dr. Gates, Barker, Spencer, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Mr. Weaver, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the meeting was adjourned at 8:11 p.m.

Mayor

Clerk