

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 6, 2019 at 5:30 p.m.

**PRESENT:** Mayor David Helms, 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 Representatives Stephanie Porter-Nichols and Linda Burchette; Police Chief John Clair; Assistant Town Manager/Town Engineer Cecil Hicks; Purchasing Agent/Fire Chief Billy Hamm, Firefighter/EMT April Shipley; CIRP Engineer Jeff Spickard and Economic Development Director Ken Heath.

**ABSENT:** Vice-Mayor Dr. Jim Gates.

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

**VISITORS:** CB Gwyn, Joe Naff, Kathy Smith, Charles Hayden, Robert B Copeland, Richard Keesling and Lili Figueredo.

**MINUTES:** Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the minutes of the meeting held April 15, 2019 were approved as written. Messrs Barker, Spencer, Jennings, Weaver, Carter and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the agenda was approved as distributed.

Mayor Helms recognized Ms. Stanley on her recent "Clerk of the Year" award. Ms. Stanley was honored at the recent Virginia Municipal Clerks Association Annual Conference held in Roanoke, VA. She was also recognized for earning her Master Municipal Clerks certification.

Mayor Helms commended Firefighter/EMT April Shipley on her recent recognition at the American Red Cross Celebration of Heroes Luncheon. Ms. Shipley was one of thirty-six recognized in Southwest Virginia.

Robert B Copeland, 761 Chatham Hill Road, spoke about feral cat colonies in several areas around town. He noted citizens are feeding and hoarding animals and this has potential to cause property damage. He also presented the City of Richmond's guidelines to assist Marion with establishing an ordinance to address the situation. Upon motion of Mrs. Jennings, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the feral cat concern was referred to the Ordinance Committee. Discussion continued noting Smyth County is responsible for animal control.

Mr. Barker reported Arbor Day will be celebrated May 20, 2019 at 1:30 pm at Marion Elementary School and reviewed the Arbor Day Proclamation. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Proclamation Declaring May 20, 2019 Arbor Day was adopted.

Mrs. Jennings noted the Buildings and Grounds Committee met today.

Mayor Helms reported a Public Hearing for the Proposed Fiscal 2019-2020 Budget will be held June 3, 2019. The VML Annual Conference will be October 6-8, 2019 in Roanoke. VDOT Bristol District LAP (Locally Administered Projects) meeting will be held at Holston Hills Community Golf Course May 9, 2019. Mr. Rush noted he would like to offer the Golf Course as a meeting place in Southwest Virginia. Mayor Helms congratulated the Smyth County News on their recent awards. The Jam Program was well attended at the Farmers Market. He reviewed an invitation from Mt Rogers Community Service Board for an Open House on Monday, June 24, 2019 from 2:00 until 4:00 pm on Hospital Avenue next to the Ray Lawrence Center.

Mr. Fenyk noted the need to schedule FOIA and COIA training before July 1, 2019.

Ms. Stanley noted Rural Development has increased the amount of grant funds available for the new Ambulance purchase and the need to approve the documents. Upon motion of Mr. Cornett, seconded by Mr. Carter and a vote of 6 AYES and 0 NOES, the Code of Conduct was accepted.

**The roll call vote was as follows:**

Mr. Cornett	AYE
Mr. Carter	AYE
Mr. Weaver	AYE
Mrs. Jennings	AYE
Ms. Spencer	AYE
Mr. Barker	AYE

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 6 AYES and 0 NOES, the Resolution of the Governing Body was accepted.

**The roll call vote was as follows:**

Mr. Cornett	AYE
Mr. Carter	AYE
Mr. Weaver	AYE
Mrs. Jennings	AYE
Ms. Spencer	AYE
Mr. Barker	AYE

Upon motion of Mr. Carter, seconded by Mr. Cornett and a vote of 6 AYES and 0 NOES, the Loan Resolution for the principal amount of \$180,000 was accepted.

**The roll call vote was as follows:**

Mr. Cornett	AYE
Mr. Carter	AYE
Mr. Weaver	AYE
Mrs. Jennings	AYE
Ms. Spencer	AYE
Mr. Barker	AYE

Chief Clair noted the Valero armed robber was apprehended in West Virginia. Chief Clair attended a focus group seminar in Giles County today along with Sheriff Chip Shuler, Clerk of Court John Graham and a member of the Smyth County Hospital administration. Mt Rogers Community Service Board also has training available for Police Officers within Mt Rogers service district.

Mr. Heath noted the Barn Quilt Trail Kick Off will be this Friday, May 10, 2019 from 5:00 until 7:00 pm. There were 94 poems and quilts distributed. The Hee Haw Show at the Lincoln Theatre on Saturday, May 4, 2019 was almost sold out with over 400 attendees.

Mr. Hicks noted the correlating study will begin this week and will be conducted during nighttime hours. Mr. Spickard reviewed the Church Street Drainage Project bids. This project has been divided into four parts. A letter of recommendation is in the packet for the total of all bids \$459,387.57. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, Contract 1 for Labor and Install is awarded to Teaters Trucking in the amount of \$270,480.00. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, Contract 2 for materials is awarded to the low bidders as presented. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, Contract 3 for paving is awarded to W-L Construction in the amount of \$82,353.60. A motion was made by Mr. Carter and seconded by Mrs. Jennings to accept Contract 4, also from W-L Construction for demolition of a vacant house in the amount of \$20,774.40. Mr. Rush noted this is the house that was donated by The Bank of Marion. There is some question about environmental testing that will need to be conducted on this house prior to demolition. Mr. Carter withdrew his motion and Mrs. Jennings withdrew her second. Mr. Hicks continued his report noting water tank inspections have been completed and will now be prioritized.

Mr. Rush reviewed a Special Use Permit request for 226 West Coyner Avenue for Diane Roberts. A Public Hearing will be held at the next council meeting. He also gave an update on the dog park noting the fencing will be done by Untiedt's Fencing and upgraded to black vinyl, 5 feet fencing.

Upon motion, duly seconded and a vote of 6 AYES and 0 NOES, the meeting was adjourned at 6:32 pm.

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Mayor

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Clerk