

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 August 15, 2022 at 5:30 p.m.

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

**ABSENT:** Tricia Spencer.

**VISITORS:** Rex Anders, Brett Taylor, Reverend James Bangle, Charles Wassum and Michael Kravitz.

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

**MINUTES:** Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the minutes of the meeting held August 1, 2022 were approved as written. Messrs Dr. Gates, Barker, 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 with the addition of RBEG loan consideration.

**PUBLIC PRESENTATION:** Upon motion of Mrs. Jennings, seconded by Mr. Cornett and a vote of 6 AYES, 0 NOES, the Resolution in Recognition of Reverend James Bangle was adopted. Mr. Anders spoke in honor of Rev Bangle being the Chaplain for the Marion Police Department for over 30 years. Chief Clair presented a plaque to Rev Bangle on behalf of the Marion Police Department. Mayor Helms read and presented the Resolution to Rev Bangle and his family.

Mayor Helms noted USDA Representatives visited the Farmers Market Saturday. Senator Warner will visit Marion Tuesday, August 23, 2022. The Spirit '45 Program was held yesterday.

Mr. Fenyk noted the AEP Franchise agreement update is set for a Public Hearing September 19, 2022. The newest member of the BZA needs to contact the Clerk of the Court to set an appointment for swearing in. There are 4 deeds completed, 2 closed and 2 still in progress for the Marion EDA.

**ACCOUNTS:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$4,328,837.64, due to the ARPA funds transferred from general fund to the ARPA checking account. Messrs Dr. Gates, Barker, Jennings, Weaver, Carter and Cornett voted affirmatively.

Chief Clair noted he will be doing an orientation for the Emory & Henry College of Health Sciences Wednesday. He will present at the Library the following Wednesday on the history of the Marion Police Department. Mason Wagoner received the 2022 VA Association of Chiefs of Police Valor Award. He will be recognized in September at the Hotel Roanoke.

Chief Keeling reported there were 285 calls in July. That is an average of 9.2 calls per day, with approximately 55% being transported.

Mr. Heath reviewed the Halloween Madness event. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, Broad Street will be closed from 11:00 a.m. until 1:00 p.m. on Saturday, October 29, 2022 for the Halloween Madness event. Mr. Heath reviewed an RBEG loan application from Rachel Gibson, Ford Studios, for \$15,000. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the RBEG loan application was approved for \$15,000 at 2% interest for 60 months for Rachel Gibson for Ford Studios. Mr. Heath reviewed an RBEG loan application from Brad Mullen, Army/Navy Store, for \$15,000. Upon motion of Mr. Cornett, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the RBEG loan application was approved for \$15,000 at 2% interest for 60 months.

Mr. Rush noted the Caring for the Community group had worked on Royal Oak Playground. Mr. Rush reviewed the Property Maintenance Abatement Procedure draft. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the Property Maintenance Abatement Procedure was adopted. The Chatham Hill Drainage Project will begin at the end of the month. Mr. Rush reviewed the fire hydrant testing progress. The goal is to complete 15 per day. There are approximately 350 hydrants in town. The high level tank refurbishment will begin the first of September. Cherry Street and Lee Street will be paved once the last few tie overs are in place. The composting project is under construction. Once completed, the town will have the ability to store approximately one year of bio solids. The Park Blvd project bids were received and were bid at almost \$400,000 more than allotted. All bids were rejected. A letter will be sent to VDOT stating all bids were rejected and we would like to explore force account. All staff did a great job this morning at the North Main Street emergency at the old Happy's building.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1 and A-3), upon motion of Mrs. Jennings, seconded by Mr. Weaver and vote of 6 AYES and 0 NOES, Town Council entered into Closed Session for discussion of personnel and real estate. 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 6 AYES and 0 NOES. The Clerk polled the Council Members. Messrs Dr. Gates, Barker, Jennings, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Dr. Gates, seconded by Mr. Cornett and a vote of 6 AYES and 0 NOES, due to the fact personnel manuals and various things within a town can change from year to year, staff is directed to have the personnel manual reviewed for an update on any new laws or things we need, to be in compliance with Federal and State government laws.

Upon motion of Mr. Weaver, seconded by Mr. Cornett and a vote of 6 AYES and 0 NOES, the meeting was adjourned at 8:58 p.m.

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Mayor

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Clerk