

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 21, 2023 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 Stanley, Town Attorney Mark Fenyk, Smyth County News Representative Stephanie Porter-Nichols, Police Chief John Clair, Economic Development Director Ken Heath, Director of IT Todd Long and Purchasing Agent Mandy Wolfe.

ABSENT: Tricia Spencer.

VISITORS: David Fulton, Janene Walker, Charles Wassum, Allen Kelly, Tim Cline, Dennis Wyatt, Mike Robinson, Linda Helton, Sue Helms, Francisco Ongnon, Sammy Musepoi, Samuel Tshisekedi, Chili Milaue, Clement Manyatta, Mlungisi Mhlope, Qiniso Mpofu, Alicia Tshuma, Mlungisi Ndiweni, Wandile Moyo, Vinay Suddarkar, Praise Gumbo, Bsbongile Simango, Minenhle Moyo, and Nicholas & Blessings Mhlope.

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 6 AYES and 0 NOES, the minutes of the meeting held August 7, 2023 were approved as written. Messrs 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 an addition under Chief Clair for NECX and an addition under closed session for personnel.

PUBLIC PRESENTATION: Mayor Helms introduced Pastor Mlue of the Life Giving Global Center Church. Pastor Mlue introduced the guests with his group. They were here from different countries participating in an international conference led by this church. The group sang their National Anthem.

Linda Helton and Mike Robinson, Smyth County Community Foundation representatives, announced a grant awarded for the Ogburn Park upgrades on Chatham Hill Road. They presented a check to Mayor Helms for \$65,750.00.

Jimmy Moss, Mount Rogers Planning District Commission representative, reviewed the Smyth County Housing Unit Development Project, noting a grant for \$3,000,000 has been awarded for Smyth County.

Chief Clair introduced Arastalis Choudhury and Jacob Downs with NECX. Arastalis, Founder and CEO of NECX, reported they did ride a long with the Police Department today and talked to citizens about the new Police App. NECX is a new Police Mobile App that allows citizens to interact with the Police Department regarding their case. Marion is the first town to utilize the app.

Mr. Barker noted the EMS agreement on page 18 of the packet is ready for consideration. Upon motion of Mr. Barker, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the agreement between

County of Smyth and the Town of Marion for the provision of emergency medical services was approved. The Planning Commission has a vacancy from the resignation of Kimberly Austin. Mr. Barker will present 3 potential candidates for the planning commission vacancy and will present to the Planning Commission at the next meeting and then bring a recommendation back to council.

Mr. Carter noted District III is expanding their office space.

Mr. Cornett noted Ogburn Park parking area had been paved and he is excited about the upgrades at the park.

Mayor Helms read a Resolution in honor of WJHL-TV. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, a Resolution in Honor of WJHL-TV on the Occasion of their 70th Anniversary was adopted. Mayor Helms reminded council and staff of the VML Conference October 8-10 in Norfolk. Mayor Helms noted the next council meeting will fall on Labor Day. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 6 AYES and NOES, the next council meeting will be Tuesday, September 5, 2023.

Mr. Fenyk reported the 2 cases in court today were not appealed. There are 2 final orders for Cherry Street and Church Street. There are 6 other cases scheduled for September 5, 2023 at 10:30 am.

ACCOUNTS: Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the accounts were approved for payment in the amount of \$1,489,915.56. Messrs Barker, Dr. Gates, Jennings, Carter, Weaver and Cornett voted affirmatively.

Chief Clair submitted Officers Pennington and Propst for the Mothers Against Drunk Drivers award. They were able to remove 9 impaired drivers. The Virginia Rural Leadership Institute has offered a mentorship program to Marion to implement Stratified Policing which assists with crime reduction. Officer Eades will return to work mid-September. The next review of the Accreditation application will be in October.

Mr. Heath reviewed a request for a street closure from Better Coffee Company. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, Saturday, September 9, 2023 Broad Street will be closed from Main Street to Court Street from 10:00 am until 4:00 pm. Mr. Heath reviewed a resolution for a grant from DHCD for \$500,000. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 6 AYES and 0 NOES, the Resolution in Support of to Virginia Department of Housing and Community Development for an IRF Grant to Address Blight with the Gospel Armory MuMS Project was adopted. USDA has awarded an additional \$10,000 for the Small Business Loan Pool. WJHL will be airing from Marion all day August 30, 2023 from 6:00 am until 7:00 pm. A 9/11 Memorial Ceremony will be conducted at the Marion Fire/EMS Station September, 11, 2023 from 8:00 am until noon. A Fallen Firefighter Memorial will be held Monday, October 2, 2023 at 5:00 pm at the Town Hall. Round 23 of Pop Up Marion will begin October 19, 2023 at 6:00 pm at the Henderson School.

Mr. Long reported a Public Hearing will be held September 5, 2023 on the Zoning Ordinance Update. A BZA meeting will be held Monday, September 11, 2023.

Mr. Rush noted a Marion EDA meeting will be held August 23, 2023. Park Blvd Drainage Project is beginning the curb and gutter installation. The East Chilhowie Street Bridge is still moving through the VDOT process. Phase 7 Sewer on Hollow Road is under construction. Phase 8 Water is under construction. Mr. Rush noted the Ogburn Park grant is a matching grant. RiverBend Park parking area is ready for paving.

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 Acquisition. 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 Dr. Gates 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. Weaver and a vote of 6 AYES and 0 NOES, the Town Manager is allowed to enter into negotiations to purchase Real Estate not to exceed \$30,000 and include town staff as needed.

Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 6 AYES and 0 NOES, the meeting was adjourned at 8:13 p.m.

Mayor

Clerk