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 5, 2023 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, Assistant Town Manager Billy Hamm, Town Clerk Cindy Stanley, Town Attorney Mark Fenyk, Smyth County News Representative Stephanie Porter-Nichols, Police Chief John Clair, Fire Chief Richard Keesling, Economic Development Director Ken Heath and Director of IT Todd Long.

**ABSENT:** None.

**VISITORS:** David Fulton, Delphia Little, Janene Walker, Charles Wassum, Tim Cline, Sue Helms, Debra Hayes, Diane Hayes, Greg Rashad, Tracy Thompson, Sara Jennings, Albertus Wright, Isabella Derderian, Meredith Miles, Paul Pham, Logan Hart, Ray Knowles, Justin Pennington, Parker Aleska, Logan Duffy, Haley Collins, Blake Madaris, Lyndsey Jones, Paige Queen, Taylor Lamb, Amanda Livingston, Betty Russell, Miranda Johnson, Jahon Shahegh, Vincent Gloria, Ashley Ballenger and Taylor Lamb.

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

**MINUTES:** Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the minutes of the meeting held August 21, 2023 were approved as written. Messrs Gates, Barker, Jennings, Spencer, Weaver, Carter and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the agenda was approved as distributed with an addition under Chief Clair for a Road Closure request, an addition under Town Manager for Airport Appointments and a closed session for personnel.

**PUBLIC PRESENTATION:** Greg Rashad reviewed a letter of request from the Juneteenth Committee for financial support of $5,000 for Juneteenth Celebration next year. Upon motion of Mrs. Jennings, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the request for financial support for the Juneteenth Celebration was referred to the Finance Committee.

Amanda Livingston, Smyth County Tourism Representative, gave a brief update on tourism, including a presentation of the latest video.

Charles Wassum, Wassona Park, expressed his interest in the tree trimming and removal of trees in that area. He suggested renaming to the Wassona Beautification Project.

Sara Jennings, 201 East Main Street, complimented the Police Department and especially Officer Morgan, on apprehending the recent vehicle vandalism suspect.

**PUBLIC HEARING ZONING ORDINANCE UPDATE – SIGNAGE:** Mr. Long reviewed the updates to Section 17 of the Zoning Ordinance. Mayor Helms opened the Public Hearing. With no public comments, Mayor Helms closed the Public Hearing. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, the updates to Section 17.1-10.2 (reference Zoning Ordinance adopted March 2, 2015) Canopy and Marquee Signs of the Zoning Ordinance was adopted.

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

Mr. Cornett AYE

Mr. Carter AYE

Mr. Weaver AYE

Mrs. Jennings AYE

Ms. Spencer AYE

Dr. Gates AYE

Mr. Barker AYE

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, the updates to Section 17.1-10.1 (reference Zoning Ordinance adopted March 2, 2015) Allowed Signage of the Zoning Ordinance was adopted.

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

Mr. Cornett AYE

Mr. Carter AYE

Mr. Weaver AYE

Mrs. Jennings AYE

Ms. Spencer AYE

Dr. Gates AYE

Mr. Barker AYE

Upon motion of Mr. Cornett, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the updates to Section 17.1-04 (reference Zoning Ordinance adopted March 2, 2015) Prohibited Signage with the exception of changing 15 inches to 18 inches of sidewalk overhang in subsection K of the Zoning Ordinance was adopted.

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

Mr. Cornett AYE

Mr. Carter AYE

Mr. Weaver AYE

Mrs. Jennings AYE

Ms. Spencer AYE

Dr. Gates AYE

Mr. Barker AYE

Upon motion of Mrs. Jennings, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, the updates to Section 17.1-10.3 (reference Zoning Ordinance adopted March 2, 2015) Electronic Message Boards of the Zoning Ordinance was adopted.

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

Mr. Cornett AYE

Mr. Carter AYE

Mr. Weaver AYE

Mrs. Jennings AYE

Ms. Spencer AYE

Dr. Gates AYE

Mr. Barker AYE

Mr. Hamm and Mr. Long left.

Mr. Barker reviewed the Wassona Tree Trimming and Removal Project. The Tree Commission has met twice. Mr. Barker suggested planting some acorns from the Sallie’s Crying Tree. He would like to have a design plan drafted for this project.

Mrs. Jennings noted Friday will be the First Annual Alvin Crowder Golf Tournament.

Mayor Helms reviewed a request for termination of the East Chilhowie Street Bridge Replacement. Mayor Helms read a Resolution for this request. Upon motion of Mr. Barker, seconded by Mr. Carter and a vote of 7 AYES and 0 NOES, a Resolution to Request to Waive Reimbursement of Expended Funds and Termination of Project # UPC 117082/King Bridge Replacement was adopted, with the flexibility to confirm the project category and make that change. Mayor Helms reminded council and staff of the VML Conference October 8-10 in Norfolk. Mayor Helms noted Mr. Rush will not be running for appointment to the VML Executive Committee. Chief Clair will be running for our region. Upon motion of Ms. Spencer, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, a Letter of Support for Chief Clair to seek appointment to the VML Executive Board will be written.

Chief Clair reviewed a road closure request for Mt. Zion Temple. Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the road closure for Iron Street for Mt Zion Temple was approved. Chief Clair noted a DCJS ARPA Grant submitted by Lieutenant Hamm for $216,000 for 3 police vehicles was awarded.

Chief Keesling noted there were 189 calls in July. Interviews will be conducted tomorrow for Fire/EMS positions.

Mr. Heath reviewed an RBEG Loan application for D’s Street Grubb Food Truck. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the RBEG Loan application for D’s Street Food Truck for $15,000 at 2% interest for 60 months was approved. 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. The Sorenson Institute will visit Marion tomorrow. Mr. Heath reviewed a road closure request for the Chili Cook-Off October 14, 2023. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the road closure request for October 14, 2023 was approved, for Main Street from Church Street to Commerce Street and Broad Street from Main Street to Court Street.

Mr. Rush noted the Virginia Housing Grant was awarded for $150,000. The Town Hall Generator install is complete. Park Blvd Drainage curb and gutter has been installed. Mr. Rush reviewed the Sheffey Street CDBG Project noting the last house is not allowed under the current guidelines so a design amendment has been drafted. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Sheffey Street Housing Rehabilitation Project Program Design Amendment #1 was approved. Mr. Rush reviewed airport appointments, noting Billy Dungan expired in January and Cecil Hicks is about to expire. Upon motion of Mr. Carter, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, Billy Dungan was re-appointed to the Airport Commission. Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, Cecil Hicks was re-appointed to the Airport Commission.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1 and A-7), upon motion of Mrs. Jennings, seconded by Dr. Gates and vote of 7 AYES and 0 NOES, Town Council entered into Closed Session for discussion of Personnel and Potential Litigation. 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 Dr. Gates, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, regarding the negotiations with the Church of Jesus Christ of Latter Day Saints to participate in paving, we decline offer and will re-visit during the 2024-2025 budget process.

Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 8:02 p.m.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor Clerk