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 November 20, 2023 at 5:30 p.m.

**PRESENT:** Mayor David Helms, Vice-Mayor Dr. Jim Gates, Jim Barker, Bill Weaver, Larry Carter (arrived late) and Avery Cornett Council Members; Cameron Wolfe, Bob Ramsey, Ben Reedy and Rex Anders Planning Commission 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, Director of IT Todd Long, IT/Engineering Assistant Flave Davis and Purchasing Receiving Agent Mandy Wolfe.

**ABSENT:** Tricia Spencer and Suzanne Jennings.

**VISITORS:** Chuck and Vickie Pruitt, Charles Wassum, Tom Hower and Ed Stringer.

**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 Dr. Gates and a vote of 4 AYES and 0 NOES, the minutes of the meeting held November 6, 2023 were approved as written. Messrs Gates, Barker, Weaver, and Cornett voted affirmatively.

**AGENDA:** Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 4 AYES and 0 NOES, the agenda was approved as distributed.

**PUBLIC PRESENTATION:** None.

**JOINT PUBLIC HEARING - ZONING ORDINANCE UPDATE:** Mr. Long reviewed the proposed Zoning Ordinance update and the process, noting it has been advertised and a public comment period allowed. Mr. Long noted this document is an avenue for growth for the town. Mr. Long turned the floor over to the Planning Commission. Mr. Barker expressed his concern that the document had become outdated and his appreciation for Mr. Long’s work to get the ordinance updated. Mayor Helms opened the public hearing. Tom Hower, 218 North Church Street, spoke in favor of the update from a landlord aspect and welcomes inspections of rental properties. Ed Stringer, Chairman of the Marion EDA, spoke in favor of the update and thanked Planning Commission and staff for all the hard work that went into the update. With no further comments, Mayor Helms closed the public hearing. Upon motion of Mr. Ramsey, seconded by Mr. Barker and a vote of 5 AYES and 0 NOES, Planning Commission recommends approval of the proposed Zoning Ordinance draft as presented. Dr. Gates made a motion to approve the updated Zoning Ordinance draft as presented, Mr. Carter seconded. Discussion ensued. Mr. Cornett had several concerns regarding full vote of council, requirements for rental inspection certificates, and camping section. Mr. Rush noted this Zoning Ordinance Update will allow the town to move forward and amendments can be considered as needed. Mayor Helms called for a vote for the motion on the floor. Upon motion of Dr. Gates, seconded by Mr. Carter and a vote of 4 AYES and 1 NO, the proposed Zoning Ordinance update with amendments was approved. Planning Commission was dismissed.

Mr. Carter reported the new District III Chairman is Charlie Atkins.

Mayor Helms noted the Marion Fire/EMS Chief applications are due December 1, 2023. The LL Bean mobile vehicle will be at the Town Pool tomorrow from 12 noon until 7:00 pm.

**ACCOUNTS:** Upon motion of Mr. Weaver, seconded by Dr. Gates and a vote of 5 AYES and 0 NOES, the accounts were approved for payment in the amount of $2,105,927.66. Messrs Dr. Gates, Barker, Carter, Weaver and Cornett voted affirmatively.

Chief Clair attended the Commonwealth Safety Memorial in Richmond Saturday. The Academy Graduation will be held December 7, 2023 at 10:00 am.

Chief Keesling noted the department has been very busy. Work continues on the generator install at Station 1.

Mr. Rush reported for Mr. Heath noting the Christmas Tree lighting will be November 30 at 6:00 pm and the Christmas Parade will be December 1 at 7:00 pm.

Mr. Long thanked everyone for time and input on the Zoning Ordinance update and work will begin on the Subdivision Ordinance update.

Mr. Rush gave an update on Marion EDA grants with Virginia Housing in the amount of $150,000 and Warner Kaine grant in the amount of $1,000,000. Callan Drive Rec Park construction activity continues and RFP’s for Engineering Services are due November 30, 2023. Mr. Rush reviewed a request for a CDBG Project for Program Income funds. Upon motion of Dr. Gates, seconded by Mr. Carter and a vote of 5 AYES and 0 NOES, the request for Program Income funds for a CDBG Project was tabled.

**CLOSED SESSION:** Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1 and A-3), upon motion of Dr. Gates, seconded by Mr. Weaver and vote of 5 AYES and 0 NOES, Town Council entered into Closed Session for discussion of Personnel and Real Estate. Dr. Gates 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 5 AYES and 0 NOES. The Clerk polled the Council Members. Messrs Dr. Gates, Barker, Weaver, Carter and Cornett voted affirmatively.

Upon motion of Mr. Barker, seconded by Dr. Gates and a vote of 5 AYES and 0 NOES, the following parcels will be donated to the Marion EDA:

210-115-1-4

211-130-20

211-130-24

211-130-27

210-118-31

210-118-91.

Upon motion of Dr. Gates, seconded by Mr. Weaver and a vote of 5 AYES and 0 NOES, the meeting was adjourned at 7:44 p.m.

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

Mayor Clerk