

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 December 5, 2011 at 5:30 p.m.

PRESENT: Mayor David Helms; Jane Hale, Tricia Spencer, Suzanne Jennings, Jim Owens, Bill Weaver, Jim Barker and Dr. Jim Gates Council Members; Town Manager John E. B. Clark, Jr.; Town Attorney Mark Fenyk; Assistant Town Manager/Town Engineer Cecil Hicks; Police Lieutenant Rex Anders; Police Chief Mike Roberts; Economic Development Director Ken Heath; Town Clerk/Director of Finance Cindy Stanley.

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

VISITORS: Kenneth Browning, David Thomas, Jim Kelly, Linda Kelly, Jeff Spickard, Dr. Charles Wassum and Dan Kegley.

MINUTES: Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the minutes of the meeting held November 21, 2011 were approved as written. Messrs Barker, Owens, Weaver, Dr. Gates, Ms. Spencer, Mrs. Jennings and Mrs. Hale voted affirmatively.

PUBLIC HEARING ON ISSUANCE OF \$1,010,285 IN BONDS FOR IMPROVEMENTS AT SEWER TREATMENT PLANT'S BIOGAS DIGESTER PROJECT: Mr. Clark summarized the project. The Town will receive a Grant for \$250,000 for this project. The loan balance will be for twenty years at zero percent interest. Mayor Helms opened the Public Hearing. Dr. Wassum spoke in regards to his concerns with the Town borrowing money. With no further comments, Mayor Helms closed the Public Hearing.

SPECIAL USE PERMIT FOR HOME OCCUPATION ON 1126 PRATER LANE: Mr. Hicks reviewed the request. Mr. Hicks stated there are no businesses located in this area, it is all residential. There will be no signage on the property and there will be no drive up business. Mayor Helms opened the Public Hearing. With no public comments, Mayor Helms closed the Public Hearing.

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL OF ADDITIONAL FUNDS REQUESTED AT ZERO PERCENT INTEREST OVER 20 YEARS: Mr. Clark stated the Department of Environmental Quality has approved the additional funds at zero percent interest.

APPROVAL OF RESOLUTION SUPPLEMENTING AND AMENDING A PRIOR RESOLUTION THAT AUTHORIZED THE ISSUANCE OF A GENERAL OBLIGATION WATER AND SEWER REVENUE BOND, IN ORDER TO INCREASE THE MAXIMUM AMOUNT OF THE BOND, FOR BIOGAS DIGESTER PROJECT AT SEWER TREATMENT PLANT: Upon motion of Mrs. Jennings, seconded by Mrs. Hale and a vote of 7 AYES and 0 NOES, the resolution was approved.

COUNCIL CONSIDERATION OF HOME OCCUPATION AT 1126 PRATER LANE: Upon motion of Mrs. Jennings, seconded by Mr. Barker and a vote of 7 AYES and 0 NOES, the special use permit was approved and shall include staff recommendations.

UPDATE ON FORMULATION OF COMPREHENSIVE PLAN: Mr. Hicks noted there will be a public open house meeting tomorrow from 10 am to 7 pm at Mount Rogers Planning District Commission. Mr. Armbrister has established a website named [planmarion.org](http://planmarion.org). The public is invited to fill out surveys. The plan should take six to eight months to complete.

GOLF COURSE TRANSITION AND MEETINGS AND ADDITIONAL PAYMENTS TO BANK OF MARION: Mr. Clark stated that a letter to the members has been sent through the member newsletter. Mr. Clark has also composed a letter summarizing the transitions. Upon motion of Dr. Gates, seconded by Mr. Owens and a vote of 7 AYES and 0 NOES, it was approved to pay Bank of Marion \$4,631.52, to bring loan interest payments current.

REQUEST FROM RALPH PRICE ON ADDING LIGHT NEAR 239 PARK BOULEVARD: Upon motion of Mr. Barker, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, This item was referred to the Street Light Committee.

TOWN OF MARION CHRISTMAS DINNER ON DECEMBER 16, 2011: Mayor Helms noted the Dinner this year will be held at the Senior Citizen Center.

PUBLIC PRESENTATIONS: Mr. Kenneth Browning presented to Council his belief of the need for a homeless shelter in our area. He stated that he has gotten fifty-nine signatures on a petition in support. He is asking Council to help get the shelter up and going. Mrs. Jennings informed Mr. Browning that the First United Methodist Church is already working on this project. Mr. Browning will gather more information and come to the next Council meeting.

STREET COMMITTEE ON SIGNALIZATION PROJECTS AT WALGREENS AND HARDEES INTERSECTIONS AND PUBLIC FORUM ON CHATHAM HILL ROAD BRIDGE: Mr. Owens stated that VDOT is going to revisit the sites to see what can be done with the signals for an alternate plan. They are to report back before the next meeting. There will be a Public Forum Thursday December 8, 2011 4-6 pm in the Council Chambers regarding Chatham Hill Road Bridge.

FINANCE COMMITTEE ON \$477,284 PARKING DECK LOAN AND DELINQUENT TAX: Mr. Clark reviewed the two bids, the Bank of Marion and Highlands Union Bank. Highlands Union bid a personal loan, so it is not pertinent. The Bank of Marion bid 3% for five years for a construction loan amortized for twenty years. The contract shall allow, at the end of five years the interest rate will not increase more than 2 percent. There is still some question about ownership of the parking deck. Mr. Heath noted he will research this and have information available for next meeting. Upon motion of Mrs. Hale, seconded by Dr. Gates and a vote of 7 AYES and 0 NOES, the Bank of Marion bid for 3 percent was approved, contingent upon locking in the interest rate.

Mrs. Hale recommended the public presentation portion of the Council meetings be moved to the beginning of the meeting. Mr. Fenyk recommended we place the Public Presentation according to the Town Code.

Mrs. Jennings noted the Senior Center Advisory Board met and the SWVA EMS Council had requested a room in the basement of the Senior Center. The Board denied the request. Mrs. Jennings has received a request from a citizen to plant trees along the railroad between Route 11 and Country Club Road. Upon motion of Mrs. Jennings, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, this item was referred to the Tree Committee.

Mayor Helms noted the Fire Department Dinner was nice with good fellowship. He and Mr. Clark attended a VML Financial Seminar in Richmond. Mr. Heath represented the Town of Marion last Thursday at Hartwood. The Downtown events Friday and Saturday nights were a success. Project crossroads served 575 meals from the United Methodist Church. Letters have been sent to the Marion Youth Center asking them to reconsider their closing.

Mr. Fenyk indicated the former County Attorney noted one of the one way streets at the Parking Garage should be changed. Mr. Heath noted it is only temporary; Strother Street will reopen to two way traffic after the construction is completed on the parking deck.

CLOSED SESSION: Pursuant to Code of Virginia, as amended, Section 2.2-3711 (A-1), (A-7) upon motion of Mrs. Jennings, seconded by Mrs. Hale and vote of 7 AYES and 0 NOES, Town Council entered into Closed Session for the purpose of discussion of personnel matters and consultation with legal counsel. 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 vote of 7 AYES and 0 NOES. The Town Clerk polled the Council Members. Messrs Barker, Owens, Weaver, Dr. Gates, Mrs. Jennings, Mrs. Hale and Ms. Spencer voted affirmatively.

Upon motion of Dr. Gates, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the Town Manager and Attorney are to draft letters to the delinquent accounts stating we will pursue in appropriate manner to collect any amounts due.

Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, Town Clerk, Cindy Stanley has successfully completed the six month probationary period.

Upon motion, duly seconded and vote of 7 AYES and 0 NOES, the meeting was adjourned.

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Mayor

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Clerk