

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 20, 2021 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, Deputy Clerk Samantha White, Town Attorney Mark Fenyk, Smyth County News Representative Stephanie Porter-Nichols; Police Chief John Clair, Economic Development Director Ken Heath and Deputy Clerk Anita Catron; Chairman Cameron Wolfe, Vice-Chairman Kimberly Austin, Bob Ramsey, Trey White, Ben Reedy, and Alice Freeman Planning Commission Members.

**ABSENT:** None.

**VISITORS:** Charles Wassum, III, Erwin Rowland, Jackie and Mike Perry, Tom and Susan Austin, William Ammi and William Myles Fields, Monica Fields-Lattany, Cindy Wewman, Randi Lawrence, George Copeland, Regina Roberts, Diane Hayes, Don Taylor, Kathy Cressel, Logan Nester, James Hartsell, John and Vivian Hill, Karen Chamberlain, Joanne Groseclose, KJ Holbrook, Derrick Ball, Malcolm Brown, Jeff Repass, Robert Johnson, Sandy Bryant, Tammy Bise, Ralph Price, Heather Barnes, Frank Fuller, Bob Hogston.

**INVOCATION/PLEDGE TO THE FLAG:** Mr. Heath 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 7 AYES and 0 NOES, the minutes of the meeting held September 7, 2021 were approved as written. Messrs Gates, Barker, Spencer, Jennings, 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, a substitute agenda was approved as distributed.

**PUBLIC PRESENTATION:** Upon motion of Mr. Barker, seconded by Mr. Cornett and a vote of 7 AYES and 0 NOES, the Proclamation in Honor of William A. Fields was accepted. Mayor Helms read and presented the Proclamation to the family of Mr. William A. Fields in recognition and in honor of a life well-lived.

**JOINT PUBLIC HEARING REZONING REQUEST 1051 NORTH MAIN STREET:** Mayor Helms announced this is a Joint Public Hearing with Planning Commission. Planning Commission Chairman recused himself from Planning Commission for the remainder of the meeting. He turned the meeting over to Planning Commission Vice-Chairman Austin. Mr. Rush noted this seems to be a mistake when the zoning was done. The request is for this property to be rezoned from R-1 (Residential) to CG (Commercial General). Mrs. Austin opened the Public Hearing for citizen comment. Bob Hogston, property owner, stated that the property had always had commercial businesses on it. With no further comments, the Public Hearing was closed. Upon motion of Mr. Ramsey, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, it is the recommendation of Planning Commission that the rezoning request be accepted. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the rezoning request was approved, 1051 North Main Street from R-1 to CG.

**JOINT PUBLIC HEARING REZONING REQUEST 404 EAST MAIN STREET, 106 AND 110 CEDAR STREET:**

Mayor Helms announced this is a Joint Public Hearing with Planning Commission. He turned the meeting over to Planning Commission Vice-Chairman Austin. She noted this request was reviewed by Planning Commission in their last meeting. Cameron Wolfe and Sandy Bryant reviewed site and building plans for the properties if they are rezoned and Mount Rogers Community Services Board is able to purchase them. The request is for these properties to be rezoned from R-1 (Residential) to MA (Medical Arts). Mrs. Austin opened the Public Hearing for citizen comment. John Hill spoke against rezoning the properties stating that he believed this is spot zoning and not permissible according to the Comprehensive Plan. Tammy Bise spoke in support of the rezoning. Mr. Rush read into the record a letter from nearby property owner, John Graham, in support of the rezoning. Mr. Barker stated that it is not spot zoning. Mrs. Freeman is concerned at the loss of more residential property in town. Discussion ensued. Upon motion of Mr. Barker, seconded by Mr. Ramsey and a vote of 5 AYES and 1 NOE, it is the recommendation of Planning Commission that the rezoning request be accepted. Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the rezoning request was approved, 404 East Main Street, 105 and 110 Cedar Street from R-1 to MA.

**JOINT PUBLIC HEARING REZONING REQUEST 1089 CULBERT DRIVE PARCELS:** Mayor Helms announced this is a Joint Public Hearing with Planning Commission. He turned the meeting over to Planning Commission Vice-Chairman Austin. She noted this request was reviewed by Planning Commission in their last meeting. Mr. Rush explained this is for the parcels behind the Mount Rogers Community Service Board located at 1089 Culbert Drive. He read into the record a letter from Culbert Drive residents, Michael and Jackie Perry. Cameron Wolfe and Sandy Bryant reviewed site and building plans for the properties if they are rezoned. The request is for these properties to be rezoned from R-1 (Residential) to MA (Medical Arts). Mrs. Austin opened the Public hearing for citizen comment. Susan Austin, Ralph Price, Heather Barnes, Charles Wassum, Malcolm Brown, and Erwin Rowland spoke against rezoning the properties. Many reasons including that the properties are located in a residential neighborhood, spot zoning, traffic increase, not best use of property, and concerns regarding the end use were stated. Tammy Bise spoke in support of the rezoning and Mount Rogers services. Mrs. Austin expressed her support and appreciation for the services provided by Mount Rogers. Discussion ensued. Upon motion of Mr. Reedy, seconded by Mr. White and a vote of 5 AYES and 1 NOE, it is the recommendation of Planning Commission that the rezoning request be denied. Upon motion of Dr. Gates, seconded by Ms. Spencer and a vote of 7 AYES and 0 NOES, the rezoning request for 1089 Culbert Drive Parcels from R-1 to MA was denied.

**ACCOUNTS:** Upon motion of Mr. Weaver, seconded by Mr. Carter and a vote of 7 AYES and 0 NOES, the accounts were approved for payment in the amount of \$1,129,777.14. Messrs Barker, Dr. Gates, Spencer, Jennings, Carter, Weaver and Cornett voted affirmatively.

Mr. Rush reviewed the Rural Development Ambulance Grant noting the grant has increased from \$50,000 to \$100,000. Upon motion of Mr. Carter, seconded by Mr. Weaver and a vote of 7 AYES and 0 NOES, the Resolution to accept the Letter of Conditions dated 09/13/2021 and that the Town Manager be authorized to execute on behalf of the Town of Marion was accepted.

Mr. Rush also reviewed loan approval from Virginia Department of Health for CIRP Phase VII and VIII. Upon motion of Mr. Carter, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, Mr. Rush was authorized to execute the VDH Letter of Intent.

Upon motion of Mr. Weaver, seconded by Mrs. Jennings and a vote of 7 AYES and 0 NOES, the meeting was adjourned at 7:15 p.m.

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Mayor

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Clerk