

**Town Council Meeting  
Monday, February 3rd, 2020 7:00 PM  
Marshville Town Hall**

**Regular Meeting**

**Present:** Mayor Larry Smith; Mayor Pro tern Virginia Morgan; Council Members Margaret Bivens, Paulette Blakeney, Ernestine Staton, and Gary Huntley

**Absent:**

**Staff Present:** Franklin Deese, Town Manager; Chief of Police Matt Tarlton: Ann Sutton, Town Clerk; Bobby Griffin, Town Attorney

**Call to Order/Invocation/Pledge of Allegiance:**

Mayor Smith called the meeting was called to order at 7:00 PM. Council Member Huntley gave the opening prayer. Everyone stood and gave the Pledge of Allegiance.

**Public Comments:**

David Williams, PO Box 2276 Indian Trail, NC, stated that he is running for Board of Commission and that he is against the County's 33% increase and will be around after the meeting to meet citizens and answer questions.

Randall Wallace, 811 Allen Dr. Marshville, stated he has complained to code enforcement several times about the property at 401 E. Union Street. He said the property is always a mess; it is unacceptable to have property constantly looking a mess and wants something done about it. Mr. Wallace stated that he would be back each month to Town Hall meetings and with more people until something is done.

Gail Kiker, 905 Forest Dr. Marshville, agreed it is time to clean up the property at 401 E. Union Street. Ms. Kiker asked if Chief Tarlton was present and stated that house and car break-ins have started again. She said there is a person on video. Ms. Kiker wants an update as to if the person is known; if an arrest has been made, and if another person is involved. She wants this information from the police. Ms. Kiker then asked what is going on with the utilities issue and wants to know what Marshville is doing about the utilities.

**Adoption of Agenda:**

Mayor Smith requested a motion to adopt the agenda. Manager Deese requested that comments from the Police Chief be added after item 6. He also wants to add a discussion and action on the Parks and Recreation Advisory Board 's by-laws. Mayor Smith requested a motion to add the two additions to the agenda. Mayor Pro tern Morgan made the motion. Council Member Huntley seconded. All Ayes. Motion passes unanimously.

Manager Deese requested that a closed session to consult with an attorney regarding the purchase of three parcels. Mayor Smith requested a motion to add the cl9sed session to the agenda per

G.S. 143-318.11 (A) (5). Mayor Pro tern Morgan made a motion, Council Member Staton seconded. All Ayes. Motion passes unanimously.

Mayor Smith requested a motion to adopt the agenda. Council Member Blakeney made a motion, Council Member Staton seconded. All Ayes. Motion passes unanimously.

Consent Agenda:

- a. Minutes from November & December 2019
- b. Resolution Authorizing Finance Officer Ann Sutton and Administrative Assistant Betty Preslar to Administer the Sun Trust Credit Card Accounts
- c. Budget Amendments

Mayor Smith requested a motion to accept the consent agenda. Council Member Bivens made a motion, Council Member Blakeney seconded. All Ayes. Motion passes unanimously.

#### **Council on Aging Presentation by Andrew Friend:**

Mr. Friend gave his presentation on aging in North Carolina and explained the programs that his non-profit agency offers.

#### **Discussion/Action on Town of Marshville Fire Tax Resolution:**

Manager Deese introduced Assistant County Manager Patrick Niland. Manager Deese began discussing the Fire Tax Resolution and explained that there is a 15 cent cap, and if it went any higher, it would have to be brought before the board for approval. Manager Deese then discussed the fire tax resolution. Manager Deese went on to explain that currently, everyone is paying a \$100 fire fee in property taxes and if one's property is less than \$118,000. You would pay less under the tax model as opposed to the the fire fee model. With 1,212 parcels within the town limits, 991 have a value of less than \$118,000 and would pay less than they would under the fire fee.

Manager Deese then explained the added verbiage for a resolution he drafted for the inclusion of Beaver Lane Fire and Rescue Service District and that the town would approve this if the as long as the subsidy remains at 40%. Mr. Niland explained that the town council would be able to resend the resolution at any time and renegotiate with the County.

Council Member Staton agreed to go with the original resolution and made a motion to accept the resolution as presented by the County Commissioners . Council Member Huntley seconded. Council Members Staton, Huntley, Blakeney and Mayor Pro tern Morgan all voted Aye. Council Member Bivens voted Nay. Motion passes 4 to 1.

#### **Chief of Police Comments:**

Chief Tarlton explained that there have been some car break-ins but no more than usual. Chief Tarlton went on to explain changes in the new law that requires officers to take obstructors to their parent's house, but cannot physically arrest them. This is for anyone under the age of 18 and caught in a burglary. Chief Tarlton went on to explain that they cannot release the names of juveniles who have been charged.

Chief Tarlton discussed some good news with the arrest of a burglary suspect. The department has recovered some goods that have been stolen in town and also items that were stolen out of town and out of state. Chief Tarlton gave a list of statistics of the Marshville Police Department for the past year.

Manager Deese thanked Chief Tarlton.

**Discussion/Action on Change in Town Employee Pay Policy:**

Manager Deese discussed discrepancies in town pay policy regarding comp-time. Manager Deese said that he spoke to the UNC School of Government about the issue of salaried employees and comp-time. He then explained that the town does not have to offer salaried employees comp-time but did suggest that the town call it something other than comp-time. He suggested that comp-time would be for the hourly employees and that for salaried employees, it would be referred to as bonus time. Both would need to request off in advance in writing and would need to be approved by a department head. Manager Deese went on to explain that comp and bonus time would not be able to exceed 40 hours.

Mayor Pro tern Morgan said there are different options for salaried employees.

The Council tabled the topic for a future session.

**Discussion/Action on Adjusting Town Policy to Include Auxiliary Meetings as Paid Meetings for Council Persons:**

Manager Deese explained the current policy and asked if the Council would like to include auxiliary meetings such as CCOG and CRTPO as paid meetings and add \$25.00 for these meetings.

Council Member Bivens feels that if someone is using their time to attend these meetings, especially if it is right after their full-time job, then she feels they should be compensated for it.

Mayor Smith asked if that was a motion.

Council Member Bivens made a motion. Council Member Staton seconded. All Ayes. Motion passes unanimously.

**Adoption of the Parks and Recreation Advisory Board's Bi-Laws:**

Manager Deese explained that the bi-laws have been modeled after Harrisburg's bi-laws and said he would print them out for the Council Members to read.

The Council agreed to take home the bi-laws, review them and formally vote on them next month.

**Manager's Report:**

Manager Deese discussed the 2020 Union County Elected Officials Reception. Manager Deese went on to explain that he has started working on the budget, has been meeting with health providers, that he is working on getting things together for the budget retreat. He discussed that

he has an upcoming meeting with South Piedmont Community College (SPCC) to discuss the Affordable Cleaners as a potential project for the students. Manager Deese also reported that he will be meeting with NCDOT to look at options for the entry to East Union Street. On February 11<sup>th</sup>, Manager Deese reported that he was invited to speak at Spencer's Budget Retreat. Next, Manager Deese discussed the situation with the property at 401 E. Union Street.

#### **Council Comments:**

Council Member Bivens thanked public works for picking up trash, but stated that people are throwing trash out again and that the town needs to put up some No Littering signs and start putting "teeth" into the issue. She also said traffic is awful down 74, and the town needs a stop light.

Council Member Blakeney thanked everyone for coming out to the meeting.

Council Member Huntly thanked the Public Works Department, the police and the fire department and asked the citizens to stay safe.

Council Member Staton stated that she is on the Parks & Rec Advisory board and are ready to work once the bi-laws are passed. Council Member Staton also stated that she went to the CRTPO orientation and meeting for the first time.

Mayor Pro tern Morgan announced that COG is next week.

#### **Mayor Comments**

Mayor Smith explained that the town has limited means to solve the issue at 401 E. Union Street, and no one is happy about the situation. No one is happy about the break-ins. He and the manager are keeping up to date with the police chief. Mayor Smith asked the public to understand that town meetings are not a press conference and cannot stop and address every item that is brought up, but understand that these do not fall on deaf ears. Mayor Smith then discussed the timeline of the water/sewer agreement with Union County.

#### **Closed Session:**

Mayor Smith requested a motion to enter closed session. Council Member Staton, Council Member Bivens seconded. All Ayes. Motion passes unanimously. Meeting moved into closed session at 8:50 pm.

Mayor Smith requested a motion to come out of closed session. Council Member Staton made a motion, Council Member Huntly seconded. All Ayes. Motion passes unanimously. Meeting came out of closed session at 9:40 pm.

#### **Adjournment:**

Mayor Smith requested a motion to adjourn. Council Member Bivens made a motion, Council Member Staton seconded. All Ayes. Motion passes unanimously. Meeting adjourned at 9:45 pm.

  
Larry Smith, Mayor

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Ann Sutton, Town Clerk