



**TOWN COUNCIL MEETING  
MONDAY, AUGUST 20, 2018, 7 PM  
MARSHVILLE TOWN HALL**

**Regular Work Session**

**Present:** Mayor Franklin Deese; Mayor Pro-tem Virginia Morgan; Council Members Margaret Bivens, Norma Carpenter, Ernestine Staton, and Gary Huntley

**Staff Present:** Scott Howard, Town Manager; Ann Sutton, Town Clerk/Finance Officer; Chief of Police Matt Tarlton

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

The meeting was called to order at 7 pm by Mayor Franklin Deese. The invocation was given by Council Member Huntley. The Pledge of Allegiance was given by everyone.

Mayor Franklin Deese asked if anyone wanted to add to the agenda. There were no additions.

**Motion to Enter Into Closed Session per NCGS 143-318.11 (a) (3) at Marshville Town Hall Meeting Room ...**

*To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. .The public body may consider and give instruction to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure . . .*

Phone conference discussion with attorneys Chuck Kitchen and Karlene Turrentine concerning Union County vs Marshville.

Motion to close the Closed Session made by Council Member Staton and second by Council Member Carpenter.

Returned from Closed Session at 7:30 pm.

### **Discussion on LED Sign Format**

Mayor Deese said that he was glad that a board member asked this to be put back on the agenda. Looking in your packet you will see one page with the digital sign on top with the Town of Marshville in the middle. If you look at the next page you will see the Town of Marshville on the top with the digital sign in the middle. When the board met last, they decided on the digital sign on the top with the Town of Marshville in the middle. But, Mayor Deese thinks the sign would look better if the Town of Marshville were on top with the digital sign in the middle. Council Member Staton thought at the time of the vote that everyone didn't understand what was being discussed. Someone coming through town is not interested in when the next meeting is. Travelers want to see where they are going so their eyes will go to the top. Local citizens will want to know what is going on in the town. Mayor Deese showed Town Manager Howard what was wanted. The sign should have Town of Marshville on top with the digital sign in the middle. Council Member Staton said that the council will have to revote on this because it was voted 4-1 at the last meeting. Town Manager Howard reminded the council that they decided not to vote at work sessions. There was a consensus that the entire Board wanted the Town of Marshville on the top of the sign and the digital sign in the middle. This would be on the consent agenda for the next regular meeting. Staff was directed to contact the sign company to express the council's decision.

### **Public Comment**

Mayor Deese and Council allowed public comment at 7:45 pm from Mr. Ronnie Long of 736 Long Street. Mr. Long said that Long Street is not wide enough for the traffic that uses it. He was referring to Byrum HVAC traffic. Mr. Long said that there are three entrances available that the heating and air conditioning company could use for loading and unloading. Long Street is a town street. The entrance off Hwy 74 has a telephone pole next to it that does not allow enough room to turn in. Mayor Deese spoke with Chief Tarlton to see if Long Street was wide enough for two vehicles. Chief Tarlton said he was not sure but he could measure it. Mayor Deese asked Chief Tarlton to measure the street and take pictures. Mayor Deese told Mr. Long that we will look into the problem, and if the Long Street entrance is a danger, the council would have to discuss what could be done. Council Member Carpenter said that the street has always been a problem, even before Byrum HVAC was built there. Mayor Deese thanked Mr. Long for coming.

### **Discussion of Tobacco Presentation**

Mayor Deese stated that he was not here for the meeting, but recognized Mrs. Carlene Crawford had come to present information on tobacco and tobacco type products. Town Manager Howard expressed that Mrs. Crawford presented the benefits of having policies and ordinances in place for a smoke-free community. Manager Howard said that the

information in the packet given us by Mrs. Crawford showed Marshville as not having any rules in place. But we do have many rules. All our buildings are smoke-free, and our park is smoke and tobacco-free. The police have their own rules such as no smoking in vehicles or in sight of the public. Town Manager Howard said that we really have a number of policies in effect. Mayor Deese asked if “smoke-free” included electric cigarettes. Manager Howard said that it does not appear that our policies address electric cigarettes. E-cigarettes are fairly new. Mayor Deese asked again if the park was smoke-free and tobacco-free. Town Manager Howard said that was his understanding. Council Member Bivens said that from all the information she has, all smoking products are dangerous. Mayor Deese and Mayor Pro-tem Morgan agreed. Mayor Deese said that if we do not have electronic cigarettes in our policies, do we need to add it? Mayor Pro-tem Morgan said yes. We need to give electronic cigarettes a definition and add it to the smoking policies. Mayor Deese double checked to make sure that we had a policy for “no smoking” in public buildings and the parks. Town Manager said that we did. Mayor Deese asked if the policy is enforceable or does it need to be an ordinance. Town Manager Howard said that policy is enforceable for our employees. Breaking an ordinance would be a civil ticket with its own controls. Mayor Deese said that if we have something enforceable then we could put a sign up saying the ‘no smoking’ rule is enforceable and that way people may not smoke because they see the sign. Town Manager Howard said that there may be a state statute. Chief Tarlton said there are some state laws. Mayor Deese said we need to find a state statute. If that doesn’t exist, we could come back together and see what we could possibly do. Mayor Deese said that is for the park and public buildings. He asked about the other places in town. Town Manager Howard said the police have two employees that use tobacco products and the police have their own policies in place. The Public Works Department have about half of their employees who use some type of tobacco product. Mayor Pro-tem Morgan said she hated to take their freedoms away. Mayor Deese recommended that we encourage the Public Works Department not to use tobacco products. Let’s put up a sign at Public Works that lists all the dangers of tobacco. We don’t want to take away peoples’ liberties and most of the time there is no one in the truck with them. Mayor Deese would also like to know the state rule for e-cigarettes. Mayor Deese asked if there was smoking at the Randy Travis Festival? Chief Tarlton said that there was a smoking area. Council Member Staton said that we still need to have a policy that includes e-cigarettes.

### **Manager’s Report**

Town Manager Howard put his report in everyone’s box. Mayor Deese asked about the potholes that were discussed in the report. He asked if Hambert Street was included. Town Manager Howard said yes. Norma asked about the drop in Thursday night for the 74 Corridor Study. She asked if we had enough room. Town Manager Howard described how he planned to handle the displays, etc...

### **Council Comments**

Council Member Huntley said that the churches wanted the Town to send a letter requesting their help with the clean-up. He requested staff to create the letter on town letterhead to send to the churches asking for their help.

Council Member Carpenter has been contacted by someone who would like their property annexed into the town. They have two and one-half acres. Our ordinance says that you have to have five acres in the ETJ to build a house. This property is in the ETJ, but all may change once the property is annexed in. Council Member Carpenter said that we can't have that restriction. She said would like for this gentleman with the acreage to talk with Blair Israel and have Mr. Israel research this. Mayor Deese stated we control the zoning in the ETJ. The gentleman could ask for a rezoning from R40 to R20. Council Member Carpenter said that with all this growth, we do not want to discourage anyone from building. Also, the building on Hwy 74 which was the CSI sold last Friday. I was sold to a utility contractor. She did not know for sure what type of utility.

Council Member Bivens had no commit.

Mayor Pro-tem Morgan did not have a commit.

Council Member Staton said that Amanda Alvarez contacted her. She was Alvarez is having the same issue as I have, trash being strewn all over the street. C.W. Smith was supposed to come and address this with the council concerning the trash problem. C.W. Smith should have pictures. Council Member Staton said that if we do not have a way for the citizens to see the Manager's Reports, we need to start reading those reports again. Town Manager Howard said that if this is what the Council wants, he will begin next meeting. Mayor Pro-tem said that she had seen the reports on bulletin boards. She was not sure that would solve the issue. Council Member Staton wanted this for the people who come to the meeting.

Mayor Deese said that someone did call him and complain about Waste Pro. Mayor Deese has the new Customer Service Rep, Phillip Saddler's, phone number. Mr. Saddler said that customer service is top on his list. So we are trying to coordinate our schedules for a time for him to come down. I want to have pictures to show him. Mr. Saddler said that a few weeks ago they hired some new drivers for this area and they are learning the new route. Another thing I will talk with him about consistency so that the citizens can expect the

trash to be picked up around the same time of day each week. Council Member Staton asked if there is a relationship between the school buses and the garbage truck schedules. Mayor Deese said he would ask Mr. Saddler. Mayor Deese questioned the Town Manager about the joint meeting of the Reverse Vendor Fair. Town Manager Howard said the fair was a place for businesses to come and find out about working with a government. There the business can learn about RFQ's, purchasing, and other things. The date will be in September. Mayor Deese was contacted by NC Business magazine with 100,000 subscribers. They are putting out as special article account Union County and wanted to see if we wanted to purchase an add to go along with it. Mayor Deese spoke with them and found out the cheapest ad they had was \$1,500 for one-third page. The Mayor told her we could not do it at this time but maybe we could in the future. Mayor Deese wanted direction as to whether the Council wanted to do this or not. Everyone seemed to agree that this was not the time to spend that kind of money.

### **Motion to Adjourn**

At 8:12 a motion to adjourn given by Council Member Norma Carpenter and second by Council Member Station. All members agreed unanimously.

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Mayor Franklin Deese

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Attest Town Clerk Ann Sutton