



Town of Marshville Town Council Regular Meeting

Monday, September 9, 2019 7:00 PM

Marshville Town Hall, 118 East Union St., Marshville, NC 28103

Regular Meeting

In Attendance:

Council Members Margaret Bivens, Ernesting Staton, Gary Huntley, Mayor Pro-tem Virginia Morgan.

Staff Members: Interim Town Manager Franklin Deese, Clerk Ann Sutton, Police Chief Matt Tarlton, and Town Attorney Bobby Griffin

Call to Order/Invocation/Pledge of Allegiance:

Call to Order by Mayor Pro-tem Morgan. Invocation by Gary Huntley, Pledge by All.

Public Comments:

Gail Kiker, 905 Forest Drive, addressed the change of the Form of Government. Gail is not happy to have someone to come here, get paid \$75,000, and then leave in a few years. She would like the council to take that into consideration. We don't need to put people on a committee to choose an employee.

Town Manager Deese introduced employee Betty Preslar, Assistant Finance/Accounts Payables. Betty told all the things she is responsible for.

Town Manager Deese added a closed session for negotiations of land. Council Member Huntley made motion to add the Closed Session. It was seconded by Council Member Staton. All agreed.

Town Manager Deese asked to take ETJ Resolution off the consent agenda. Motion made by Council Member Bivens and Seconded by Council Member Staton. All agreed.

Adoption of the Agenda: Mayor Pro tem Morgan asked for a motion to adopt the agenda. Council Member Staton made the motion. Council Member Huntley seconded. All agreed

Consent Agenda: Mayor Pro tem Morgan requested a motion to approve the consent agenda. Council Member Staton made motion to approve consent agenda. Council Member Bivens seconded.

- ~~a. Resolution to Add an ETJ Member to the Board of Adjustments~~
- b. Amendment to Utility Policy (Sod Policy)
- c. Resolution to Support Wesley Chapel Concerning Union County's Rezoning

- d. Resolution for Water/Sewer Grant
- e. Order of Collection – Union County
- f. Approval of Minutes:
 - i. January 7, 2019
 - ii. April 8, 2019
 - iii. April 22, 2019
- g. August 5, 2019, Constitution Week Proclamation

Discussion on water/sewer inventory grant:

Interim Town Manager had a conversation with Brian Matthews to ask if they would be interested in the grant. The county would share 50/50 of the grant match. Manager Deese also spoke with Wooten Company who brought the grant forward. Amy Sims of Wootencompany said that if we did “in-kind” work our cost would be only 1.5% which would be \$2,250 per grant with in-kind service.

Approval of Resolution:

A motion was made to authorize the town manager to sign the resolution to proceed with the Water/Sewer Inventory Grant. Council Member Staton made motion, Council Member Bivens seconded. All agreed.

Discussion of Forms of Government with the School of Government:

The town had a video conference with Carl Stenberg and Rob Shepard to tell us about the two different forms of government. These men are from the School of Government (SOG). Interim Town Manager Deese expressed the thought behind the discussion to change forms of government of which one was a high turnover of town managers. Mr. Stenberg said that he and Mr. Shepard were here to answer questions. The town management needed to express the questions that are important to them. The Council/Manager form is laid out in the General Statutes. The nature of the statute gives decision making to the Town Manager and he/she handles the day to day operations of the town. The Town Manager hires and fires.

The Administrator form gives the Town Manager various duties. Mr. Shepard said that if you change to an Administrator form, it is essential to lay out the duties of the Town Manager and those duties should be written and adopted as an ordinance. Interim Town Manager Deese said that most towns in NC have a Manager form of government. Of 254 towns ... 209 Mayor/Council...90 Mayor/Council with an Administrator. The population is a good indicator of the form of government. Larger towns have a Manager/Council form of government. Smaller town Mayor/Council. Marshville is anticipating growth with the by-pass said Interim Town Manager Deese. We will need an administrator to manage the growth. Interim Town Manager Deese was asked how close are the working requirements for Town Manager and Administrator? The Administrator does what he is told to do. The Town Manager has specific things that have to be done, (8 things) by statute. It was said that ICMA expects a code of ethics whereas Administrators may not have similar ethics.

Council Member Staton said the main question that has come up is salary. Could you talk a little about the salary? Mr. Shepard explained that salaries are not that much different. Two things would impact a manager or administrator. The size of a town or city is the main factor that

affects salary. The second indicator for an administrator/manager would be the amount of work required by the manager/administrator. Mr. Shepard thought you would need to be aggressive with salary for either if it was for a manager or administrator.

Interim Town Manager Deese handed the council literature from the School of Government to read. He restated that there are eight things that the manager is required to do. The Town Manager's power comes from the legislature. The administrator is given assigned duties, not guided by General Statutes.

Mr. Stenberg said he is not at the presentation to direct. A lot depends on your needs and your citizens. The Council thanked Mr. Stenberg and Mr. Shepard for presenting the information. All thanked Nancie Mandeville for helping with the presentation.

Discussion/Action concerning A Change in the Form of Government:

The next thing on the agenda is to discuss the Management Form of Government. Council Member Staton said we need to think if we are willing to take on the work. Council Member Staton worked in an Administrator Form of Government. She was concerned about the workload on the council members. There would be a lot of time and hard work done by the council if each one had to direct a department. She asked if there would be compensation for the extra time spent? Council Member Staton said because of the additional time and money spent to maintain an Administrator Form of Government, it would cause her decision to be to stay with the Manager/Council Form of Government.

Mayor Pro-tem Morgan said they had received a lot of information. Do you want a Professional Administrator and what would we expect to pay for a professional? We will need to request what you want each month from the Administrator. Council Member Huntley would like to wait before they make a decision, but he also wants the Council to make a decision and move on. We can still have a Manager Form of Government. We could let the manager know what we need to know on a monthly basis. Council Member Bivens said she has been under both types of governments and could adjust to either way. The decision was to wait until the next regular meeting to make a decision.

Closed Session per General Statute 143-318.11 (a)(5):

Mayor Pro tem Morgan asked for a motion to go into closed session to discuss parkland for sale. Motion made by Council Member Staton and seconded by Council Member Bivens. All agreed.

Motion made to go out of Closed Session made by Council Member Staton and seconded by Council Member Bivens. All agreed.

Manager's Report:

Interim Manager Deese said the Outfall CDBD Grant has been canceled. There are CDBD Grant funds that still have to be spent. Interim Town Manager Deese doesn't want to lose the money. So, Interim Town Manager Deese and Union County are looking for opportunities to use the CDBG money for sidewalks and street improvements.

Interim Town Manager Deese is planning to set up a time for candidates to come in and ask any questions they would like. The staff would be available for questions.

The fire ants at the cemetery should be taken care of this week.

Interim Town Manager Deese has been working on plans to help with the drainage problems at the park.

Interim Town Manager Deese requested a council person to spearhead the Beautification Committee and the Park Committee. Council Member Staton wants to head the Parks and Rec Committee. Council Member Bivens wants to head the Beautification Committee. Interim Town Manager Deese requested an outline of what we want to do so you can direct these committees.

At some point, we need to revisit the Land Use Plan for 2035. The Council needs to start making decisions going forward based on the Plan.

Interim Town Manager Deese will be meeting with NCDOT. There will be a discussion concerning some streets that need to be fixed.

At our next work session, the Planning Board would like to be here to discuss some topics.

We have requested interns from Wingate University. The interns would be for Parks and Rec and Accounting. We asked for anyone we could get.

Interim Town Manager Deese has been studying the budget. He reminded all that sometimes we have to spend money before we get it back.

Interim Town Manager Deese attended the TCC meeting in place of Council Member Carpenter.

Movie Night in the Park will be on Saturday night. Need is in co-operation with Union County and is free to the town.

We did discover an ordinance that allows civil penalties in some cases. Interim Town Manager will have discussions with the Planning Administrator and the Code Enforcement Officer to see if these can be used.

Mr. Marvin Todd is working on Tracie's Coffee Shop and Diner. Hopes to open early next year.

We are looking at a partnership with Nissan Corporation to get a fast charge station as a part of the VW settlement.

Would the Council support Manager Deese on getting a few signs that say "Jake Brakes for Emergency Only." Would the council support that? Council Member Huntley said no. This will be left alone.

Interim Town Manager read a letter from a citizen. This citizen would like to be a part of the revitalization of the town. He is not just complaining; he wants to help.

Council Members' Comments:

Council Member Bivens is excited about the Beautification Committee and a chance to get the roads cleaned up.

Council Member Huntley said we need to study the Form of Government and make sure we make the right decisions.

Adjournment:

Mayor Pro-tem Morgan requested a motion to adjourn. Council Member Staton made motion, Council Member Huntley seconded. All Ayes. Meeting adjourned.



Mayor Pro-tem Virginia Morgan

Town Clerk, Ann Sutton