



**TOWN COUNCIL MEETING
MONDAY, October 8, 2018, 7PM
118 E. UNION STREET
MARSHVILLE TOWN HALL**

Regular Meeting

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

Staff Present: Scott Howard, Town Manager; Ann Sutton, Town Clerk/Finance Officer; Matt Tarlton, Police Chief; Town Attorney Bobby Griffin; Emily McCallum Parks and Recreation Director

Meeting Call to Order: Mayor Pro-tem Morgan called meeting to order

Invocation: Council Member Gary Huntley

Pledge of Allegiance: All

Addition to Agenda: Town Manager Scott Howard requested to add a change to the police policy as requested by Chief Matt Tarlton. Also, he made a request to add a closed session to the end of the meeting. Council Member Staton made a motion to add the two items to the agenda. Council Member Norma Carpenter seconded the motion. All said aye.

Public Comments:

Mayor Pro-tem Morgan welcomed all the citizens that came to the meeting.

Stoney Rushing at 3810 Belk Mill Road in Wingate, NC came to speak as the County Commissioner liaison with Marshville. He has spoken with Council Member Carpenter, Mayor Deese, and Mayor Pro-tem Morgan. He knows that the town is in need of natural gas. Commissioner Rushing said that East Union School has natural gas. If we could get that to Marshville Elementary it would be a savings of \$15,000 a year for that school. Commissioner Rushing said that Union County wants to work with Marshville. No one on the Board has any animosity towards Marshville. Commissioner Rushing said that one commissioner came through Marshville for lunch. There was a sign on the restaurant door that said the business was closed due to no water. Commissioner Rushing said that Union County desperately wants to help Marshville. He thanked everyone for their time.

Jim Rowell came to the podium. He asked for permission to read his statement that may take over two minutes. Mayor Pro-tem said that it was OK to exceed the two minute time limit by a half minute. Mr. Rowell said the lawsuit with Union County is a big expense. It is a red flag to any business that would want to come to Marshville. It has already costs the Town and the County in attorney bills. Mr. Rowell said the County wanted to take over the water and sewer system. That would be a good idea. Mr. Rowell said that he knows the rates will go down in five years. This will be good for business and industry. Mr. Rowell said that there was talk of bringing natural gas to town. Mr. Rowell said the Town had approximately two million dollars in debt with the two systems. It is time for the Council Members to step up and do what is right for the town and citizens. It is time to take action towards growth and stop fooling around. Mr. Rowell was thanked.

Susan Drake 306 S. Elm Street in Marshville. Ms. Drake wanted to let the Council know that her term on the Planning Board will be up next month. She said some of our greatest challenges are coming up. Susan Drake would like the Council to reappoint her to the Planning Board. Some years ago, the town faced some of the same problems it does now. At that time we chose not to pay our water/sewer bills to County. Mrs. Drake said that was one of the worst decisions made. It has turned out to be a very costly. Mrs. Drake would like to ask the Board now to make the best decision for Marshville for the future not just for today. She thanked the Board for the time and consideration of her request.

Consent Agenda:

Motion to accept the Consent Agenda. Motion made by Council Member Carpenter and seconded by Council Member Huntley. All said aye.

Change in Current Policy:

Chief Matt Tarlton said the Town Policy does not exactly match the Police Policy concerning police officers working "off duty". Article VI Section 6 basically says that employees can work off duty as long as their Department Head and Town Manager approve it. The Police Policy basically says that if Police Officer wanted to work off duty at a Wingate Football game, he/she could not do it. Chief Tarlton would like to get rid of number 1 under Section 6 Article VI of the Police Policy and move number 2 up in its place. Right now, the Police Policy does not allow off duty work. The Town Policy says Police Officers *can* work another part time job as long as it does not interfere with Marshville PD work. Council Member Carpenter was surprised that officers could not work off duty. Chief Tarlton reiterated that the Town Policy says they can and the Police Policy says they can't. Council Member Carpenter made a motion that the Police Policy be changed to allow a Police Officer to work off duty. Permission must be granted by the Chief of Police and the Town Manager. Section 1 of the Police Policy would be deleted. Chief Tarlton was asked if the officers would use the town's equipment. Chief Tarlton said they would use their own equipment. The officer may ask to use his bullet proof vest, but no Marshville cars or guns should be used in an off duty job. Town Manager Howard reminded the Council that when officers leave, they leave for more money. 10% of our force goes to Union County due to our low pay. Allowing officers to do work outside of their primary job gives them the extra money they need. Attorney Griffin reminded all that the Chief had to approve the off duty

position. Council Member Huntley made a motion that the policy for off duty employment options for Marshville Police Officers be changed to match that of the Town Policy. This was seconded by Council Member Staton. All said aye except Council Member Bivens. Council Member Bivens wanted to wait until the next regular meeting for a vote.

Town Calendar Discussion:

The Town Calendar is approved every year along with the Town Budget. Apparently the decision of Board Meeting dates was different than what they should have been. Town Manager Howard was under the impression that Regular Town Meetings were on the first Monday after the first Sunday of every month. He found out that at some point after he left the town in 2007 the date of meetings had changed to the first Monday of each month. Since the Town Calendar had been approved, does Council want to change the schedule to the first Monday of the month or keep it as approved during the Town Budget approval? Council Member Carpenter said we need to keep the calendar as approved. All agreed.

Parks and Recreation Discussion:

Parks Director Emily McCallum had an arborist look at the trees in the park in relationship to a plan to extend the park. The arborists is from Task Masters out of Wadesboro. Parks Director McCallum and the arborist walked the park to look at the trees and their condition and if there was a safety issue. The arborists gave Parks Director McCallum prices to cut down some trees and begin clearing off the property. However, there is erosion that has occurred on the property over the past several years. Getting rid of trees could cause more erosion. Parks Director McCallum requested some feedback as to what the Council wants to see take place on the park extension. She does not want to do anything unless there is a plan; we don't want to start work just to have the land sit and go back to its former condition. Parks Director McCallum said there were 30 to 33 trees that we looked at. These trees are large and a professional is needed to take them down. Parks Director McCallum asked again what direction the Council would like for her to go. Mayor Pro-tem Morgan suggested a Parks Committee be formed. She also thought a survey would be a good idea. That would give us some feedback from the community. Parks Director McCallum has heard a lot of talk that a soccer field or basketball would be a good use of this extension. Council Member Staton reminded all that she was appointed to work with a Parks Committee. In the end, Parks Director McCallum was asked to find out what the community wants and come back to present the ideas.

Council Member Stator asked if the recreation equipment company had come out to look at the mulch under the swings. Parks Director McCallum said that anytime that type of mulch is put out there is a chance of grass to grow there. The equipment company gave suggestions of what to use to kill the grass and public works has helped with this. Parks Director McCallum just got the spray out last week, so we should see some improvement. Parks Director will email Council Member Staton with the information she received concerning the mulch and the grass.

Additional Comments:

Jim Rowell reminded all of the Randy Travis Festival coming up on Saturday from 9am until 10pm.

Council Comments:

Council Member Bivens stated that she had a high water bill.

Council Member Carpenter still going to CRTPO meetings. Monroe Expressway is on track to open November 27th.

Council Member Huntley reminded all that October was Breast Cancer Month.

Council Member Staton spoke of a previous board that was so great because they handled the water/sewer issue well. Staton said that we are doing great and we need to keep on doing great things. Council Member Staton asked if the Long Street issue had been resolved. Town Manager Howard said that we scraped both sides of the road. That is all we can do.

Mayor Pro-tem asked to take a five minute break. Council Member Carpenter made the motion and Council Member Staton second.

Council came back into session at 7:57pm. Council Member Carpenter made a motion to **Motion to Enter into Closed Session per NCGS 143-318.11 (a) (3) at Marshville Town Hall Meeting Room at 118 E. Union Street ...**

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 . . .

Council Member Staton second.

Motion made to come out of closed session at 8:45pm.

Motion made by Council Member Staton to adjourn and second by Council Member Carpenter.

Mayor Franklin Deese

Clerk – Ann Sutton