



# Town of Marshville

## Town Council Regular Meeting

Monday, August 3, 2020 7:00 PM

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

### Regular Meeting Minutes (Zoom Meeting)

#### Public Hearing for Rezoning Postponed until August 17, 2020

**In Attendance:** Mayor Larry Smith, Mayor Pro-tem Virginia Morgan, Council Members Margaret Bivens, Ernestine Staton, Paulette Blakeney, Gary Huntley

**Staff in Attendance:** Town Manager Franklin Deese, Town Clerk Ann Sutton, Town Attorney Bobby Griffin via Zoom

**Call to Order/Invocation/Pledge of Allegiance:** The meeting was called to order by Mayor Larry Smith. The invocation was given by Council Member Huntley. All gave the Pledge of Allegiance.

**Public Comments Received by Email:** No comments

**Adoption of the Agenda:** Town Manager Deese would like to add these items to the agenda:

- 5a. Discussion of a proposed contract to create a Town Ordinance
- 5b. Discussion of a 6 month moratorium on the creation of murals
- 5c. Discussion of CARES Fund from Union County
- 5d. Addition to closed session discussion for park property

A motion was made by Council Member Staton to adopt the agenda with additions. The motion was seconded by Council Member Huntley. All ayes.

**Postponed Rezoning Public Hearing:** Town Manager Deese requested a Special Meeting be held on August 17, 2020, to hold the Public Hearing concerning two parcels:

- a. R. G. Real Estate (applicant) on #3 Bruce Cuddy on Green Street (PID 02316015D)
- b. Jeff Johnson (applicant) on behalf of NewPath Properties, Inc., 402 E. Union Street, Marshville, NC (PID 02306019)

This rezoning needed to be re-advertised correctly.

Motion to conduct a Special Meeting on August 17<sup>th</sup> at 7 pm made by Council Member Staton and seconded by Mayor Pro-tem Morgan. All ayes.

**Discussion Concerning Electronic Charging Station:** Town Manager Deese let everyone know that we have received a \$91,000 Grant for two charging stations. Town Manager Deese had to go ahead and let DEQ know that we accepted the grant, but that is not binding until the council sees the contract.

**Discussion of Proposed Contract to create a Town Ordinance:** Town Manager Franklin Deese presented a contract with David Williams of Gaston County Planning and Developmental Services. He will write an ordinance that will allow us to abate issues such as someone piling trash on public sidewalks. The town does not have the ability to enforce trash pickup off public sidewalks. A new ordinance will help us do that. Town Manager Deese will have the contract with Mr. Williams reviewed by our Town Attorney, Bobby Griffin. If Attorney Griffin says that the contract is in good order, Town Manager Deese would like permission to sign the contract. Mayor Smith asked for a motion to approve the Town Manager's signing of the contract for \$2,000 to create an ordinance concerning trash in public areas. A motion was made by Council Member Bivens and seconded by Mayor Pro-tem Morgan to allow Town Manager Deese to sign the contract if the attorney deemed all was in order. All said aye.

**Discussion of a 6 month Moratorium on the Creation of Murals:** Town Manager Deese would like an ordinance or policy created to regulate what can be painted on the side of buildings. He requested a 6 moratorium on the creation of murals until an ordinance could be drawn up. A motion for a 6 month moratorium on murals effective immediately was made by Council Member Ernestine Staton and seconded by Council Member Margaret Bivens. All said aye.

**Discussion of CARES Funding from Union County:** Town Manager Deese said the State gave counties of a certain population, money under CARES Funding. The Union County received over \$8,000,000. The county was to distribute 25% of that funding to municipalities. That equals \$2,200,000. The Town Clerk has requested grant money from Union County of close to \$50,000.

**Discussion Concerning Town Owned Vacant Property at 107 N Elm Street:** Town Manager Franklin Deese received a call from a woman who wanted to rent the building. She asked if you could update/fix the property in place of rent. Her husband is a General Contractor. She asked if he could do the work? Council Member Staton would like to know what the cost would be to do the renovations. Mayor Pro-tem Morgan thought we should get the contractor's cost estimate and then another estimate from someone else to compare. All felt that the contractor should have a chance to see how much it will cost. Town Manager Deese also said the same lady was interested in the Affordable Cleaners building and would consider renovations in place of rent. Town Manager Deese reminded all that at one point the council thought the Affordable Cleaners building would be good as a welcome center in conjunction with the charging stations. It would give people a place to go while they charged their cars. As directed by Council, Town Manager Deese will get other estimates on renovating the buildings and come back to Council with the information.

**Discussion and Possible Action on the Governor's Executive Order Requiring Face Coverings:** Town Manager Deese reminded all that it was decided that when in Town Hall, all are required to wear a mask. He asked if we wanted to extend that requirement to all town owned property? Council Member Staton made a motion that anyone within 6 feet of each other and on town property, should wear a mask. The motion was seconded by Council Member Huntley. All said aye.

**Feedback from Council Concerning Union County Project 2050 and Aug 6<sup>th</sup> Meeting:** Town Manager Deese reminded all of the county meeting on August 6, 2020, concerning the 2050 Comprehensive Plan. Town Manager Deese wanted to make sure that all council members still wanted:

Industry outside the ETJ

Light Industry inside the ETJ

Multi-family residential, family style restaurants, fast food restaurants, and office space such as dental and doctor offices within the city limits

The Council Members agreed that to have Town Manager Deese represent the town at the meeting. He will also continue to push the need for industry in the ETJ and residential and family oriented shops in the town limits.

**Discussion Concerning Reducing Speed Limit on Forest Drive:** A study was done recently on the speed on Forest Drive. The speed limit is presently 25 mph. Our study showed that most people drive 20 mph. Council Member Staton was concerned with the safety of the children. She checked many of the streets in Marshville, and the speed limit is between 15 and 20 mph. Council Member Staton made a motion to change the speed limit on the street owned section of Forest Drive from 25 mph to 15 mph. The motion was seconded by Council Member Huntley. All said aye.

**Council Members' Comments:**

Council Member Bivens would like a speed study on Elizabeth Drive. She would also like someone trench the ditch on Washington Street.

Council Member Blakeney said she is glad to see all and thanked the Town Manager and the Town Clerk.

Council Member Huntley thanked all.

Council Member Staton questioned the newspaper articles. The Enquirer Journal needs to say that anything said is from all the Town Council and not just one person. Council Member Staton did notice that there were many streets that do not have speed signs. Town Manager Deese thought we could designate some Powell Bill money for signage on some of these streets. Mayor Pro-tem Morgan thanked all employees for all their hard work.

**Mayor Comments:** Mayor Larry Smith has heard many good comments on the Randy Travis mural. He would like to see some directing folks to parking for the viewing of the Randy Travis mural. Since we have no idea how long the COVID is going to last, could we move a meeting to the East Union Auditorium? We are not that many people with not a big gallery. Town Manager Deese said the Council could move their meetings anywhere as long as the public is notified. Planning meetings would need approval from the council.

**Motion to go into Closed Session** for discussions per NCGS 143-318.11 (a) (3)

A motion was made by Council Member Bivens to go into closed session. A second was made by Council Member Staton. All said aye.

*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.*

Discussions include a contract with Unison concerning cell modules on the water tower; continued contract negotiations with Union County for the transfer of water and sewer; purchase of parcels located near town park; lake property near Baptist Children's Home.

A motion was made by Council Member Staton to move out of closed session. A second was made by Mayor Pro-tem Morgan. All said aye.

**Discussion/Action of Closed Session:** A motion was made by Council Member Bivens to approve the terms of agreement with Unison for the sale of the current cell tower lease agreement and to direct our attorneys to finalize the contract. A second to this motion was made by Mayor Pro-tem Morgan. All said aye.

**Adjournment:** A motion was made by Council Member Staton and a second by Council Member Huntley to adjourn the meeting. All said aye.

Approved the 5<sup>th</sup> day of October, 2020.

  
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Mayor Larry Smith

ATTEST

  
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Town Clerk Ann Sutton