



**Town of Marshville
Town Council Meeting
Monday, December 5, 2016, 7:00 PM
Marshville Town Hall**

Regular Meeting Minutes

Present: Mayor Deese, Mayor Pro-Tem Morgan, Council Members Bivens, Carpenter, Rowell and Staton.

Staff Present: Town Manager, Robyn Stuber; Clerk/Finance Officer, Tonya Johnson; Public Works Director, Ricky Bourne; Police Chief, Matt Tarlton; Intern for Park & Recreation, Ashley Proctor; Town Attorney, Bobby Griffin

Call to Order/Invocation/Pledge of Allegiance

The regular meeting of the Marshville Town Council was called to order at 7:00 pm by Mayor Frank Deese. Mayor Deese welcomed everyone in attendance. The invocation was given by Council Member Staton. The Pledge of Allegiance was given by everyone.

Adoption of Agenda for the Meeting

Mayor Pro-Tem Morgan requested a work session be held in January regarding discussion and action on the proposed amendments to the Personnel Policy. Mayor Pro-Tem Morgan made a motion to remove agenda item #9 and add it as a work session in January. The motion was seconded by Council Member Bivens and passed by unanimous vote.

Mayor Deese stated that council needs to add a closed session to the agenda per NCGS 143-318.11. (a) (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct. Mayor Pro-Tem Morgan made a motion to add this closed session to the agenda. The motion was seconded by Council Member Staton and passed by unanimous vote.

A motion to adopt the agenda with the approved changes was made by Council Member Staton. The motion was seconded by Council Member Bivens and passed by unanimous vote.

Public Comment

Mr. Wayne Griffin of 700 E. Union Street, Marshville, signed up for public comments. Mayor Deese requested that Mr. Griffin hold his comments until the closed session at which time he would be given the opportunity to address the council.

A motion was made by Council Member Staton to go into closed session per NCGS 143-318.11. (a) (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote. The manager, town clerk, town attorney and Mr. Wayne Griffin were invited to remain in the closed session. All other staff and members of the public were excused.

Closed Session (7:06 pm)

Open Session (7:15 pm)

Action resulting from the closed session

Mayor Deese stated that he will confer with the town attorney and that he will reach out to the School of Government for possible recourse. He informed Mr. Griffin that he will get back with him regarding this situation.

Consent Agenda

Council Member Rowell made a motion to remove Budget Amendment 2017-07 (Turrentine Law Firm PLLC) from the consent agenda and make it a regular agenda item. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote.

A motion to adopt the consent agenda with the change as approved above was made by Council Member Carpenter. The motion was seconded by Council Member Staton and passed by unanimous vote.

Budget Amendment 2017-07 – Turrentine Law Firm PLLC

Council Member Rowell pointed out that this bill is significantly higher than previous billings. Council Member Rowell expressed concern that expenses are high and that the town council isn't doing anything. Mayor Deese stated that, as he was advised by the attorneys, he reached out to the Chairman of the Union County Board of Commissioners with no response. Mayor Deese shared an email that he received from the town's attorney, which came from the attorney for Union County, Mr. Bishop. Mayor Deese reported that a conference call is scheduled for Wednesday.

Town Manager Stuber pointed out that the bill is for two months. She stated that a sizeable charge was spent for meetings for the attorney's to bring her up to speed on the details of the case. Town Manager Stuber informed the council that she has been copied on several emails from the town's attorneys attempting to schedule a meeting between the elected officials for both parties.

Council Member Rowell made a motion to adopt Budget Amendment 2017-07 for legal services related to the sewer lawsuit. Council Member Staton commented that she hates that this suit is costing so much. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote.

Introduction of New Employees

Town Manager Stuber introduced Mr. Ricky Bourne, the new Public Works Director, Mr. Tommy Powell, Public Works Laborer, and Ms. Ashley Proctor, Parks and Recreation Intern. Town Manager Stuber clarified that the park position is an internship.

Presentation by Marshville Small Town Main Street – Downtown Revitalization Project, Phase II

The presentation was made by members of the Small Town Main Street Committee, Bob Morgan, Kathryn Davis and Stephanie Baumer. The presentation is hereby incorporated and made a part of these official minutes. Bob Morgan explained that the focus area is from Highway 74 to E. Main Street and Highway 74 to W. Main Street. Phase II of the Sidewalk Project will begin in front of Griffin Staton Insurance, across the railroad to Main Street. It will go east toward the Marshville Laundromat and west to the Marshville Museum and the Barber Shop. The projected cost for the sidewalks is \$89,673.00.

Kathryn Davis explained that this phase of the Downtown Revitalization project includes new Welcome to Marshville signs. As illustrated in the presentation, the committee tried to stay with the design of the wayfinding signs to stick with the brand. The proposal also brings back a "Home of Randy Travis" sign. A sample sign has already been approved by Randy Travis and his wife. It is also similar to the wayfinding signs. Town Manager Stuber commented that the town has a Facebook page and there have been a lot of comments about the removal of the sign. Mayor Deese clarified that the council had nothing to do with removing the Randy Travis signs.

Discussion ensued regarding the addition of more lamp posts throughout town. It was suggested that it would be good to start conversations with Duke Energy.

The committee is also requesting twenty additional banners, ten additional benches and five additional trash receptacles. Plans are to place several benches at the gazebo to provide a sitting area. The committee also requests to purchase additional concrete pots/planters.

Bob Morgan stated that the committee would like to request that the council look into commercial code enforcement since such an investment is being made in Marshville's downtown. There is a need for commercial code enforcement to enhance what the town has. Town Manager Stuber commented that she has had conversations with the committee and has talked with the new planning/code enforcement staff.

Town Manager Stuber stated that a notification system in which citizens can receive text messages or email notifications is being investigated. Staff is looking into options that are available to push out information to citizens.

Bob Morgan reported that the total estimate for Phase II of the Downtown Revitalization Project, including the sidewalks and other items requested totals \$121,973.51. Town Manager Stuber commented that she, the Public Works Director, and Finance Officer need to study the budget. Mayor Deese informed the committee that this proposal will be discussed further by the council.

Discussion and possible action regarding the purchase of a table reservation for the 2017 Annual Dr. Martin Luther King, Jr. Prayer Breakfast

Town Manager Stuber commented that a letter was received from the MLK, Jr. Committee to reserve a table for the annual Martin Luther King, Jr. Prayer Breakfast. Council Member Rowell made a motion to purchase a table for the Martin Luther King, Jr. Prayer Breakfast on Monday, January 16, 2017 at 6 am at Wingate University's Laverne Banquet Hall. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote. Council Member Staton made a motion that the council not participate in the MLK, Jr. parade. The motion was seconded by Council Member Rowell and passed by unanimous vote. Staff was directed to submit the reservation information.

Discussion and possible action concerning the approval of documents related to the construction of Water System Improvements – 2015 Project No. WIF-1915 (Booster Pump Station and Water Main Extensions)

- **Agreement to Furnish Engineering Services**
- **Capital Project Budget Ordinance**

A motion to approve the Engineering Services Agreement and the Capital Project Budget Ordinance was made by Council Member Rowell. The motion was seconded by Council Member Staton and passed by unanimous vote.

Discussion and possible action concerning the engagement of Stark Law Group, PLLC to represent the Town of Marshville in the sewer dispute case

Mayor Deese reported that Ms. Karlene Turrentine is dissolving her law practice. Attorney Chuck Kitchen is now practicing with Stark Law Group, PLLC. Mr. Kitchen will continue to represent the town in the sewer dispute at the same rate as previously agreed upon in the engagement with Turrentine Law Firm, PLLC. Council Member Rowell made a motion to accept the engagement of Stark Law Group, PLLC concerning the sewer dispute, acknowledging that Mr. Chuck Kitchen continues to be the attorney and Ms. Turrentine, until such time that she assumes new duties. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote.

Town Manager's Report

Town Manager Stuber asked if the council prefers that ESA do a solar farm workshop on Monday, January 9, 2017 at the beginning of the regular council meeting. This recommendation was the consensus of the council.

Town Manager Stuber informed the council of her recent attendance at the Carolina Thread Trail Conference. She reported that there is a trail that comes through Union County. Grant Funds are available.

Town Manager Stuber commented that the Christmas parade and the annual Tree Lighting both went well. She reported that Breakfast with Santa will be December 10, 2016 at the Community Center.

Town Manager Stuber informed council that a matching grant was obtained by Mr. Mitchell while he was serving as Park and Recreation Director. The grant provides for outdoor park equipment. Town Manager Stuber stated that she and Ms. Proctor, the new intern, will be working on how to best carry out the grant.

Mayor and Town Council Member Comments

Mayor Pro-Tem Morgan welcomed the new employees and wished everyone a Merry Christmas.

Council Member Staton welcomed the new employees. She commented that she desires that council implement work sessions to work on and discuss things that need to be done. Council Member Staton wished everyone a Merry Christmas.

Council Member Rowell welcomed the new employees. He reported that there will be a Christmas social for the staff on December 16, 2016 from 11:30 until 1:00 at Town Hall.

Council Member Carpenter welcomed the new staff members. She commented that the manager is doing a good job and that an evaluation is in order.

Council Member Bivens also welcomed the new employees. Council Member Bivens commended Officer Kassie Clark for her efforts in handling a recent situation. Council Member Bivens requested to have the county animal control officer come speak to the council. She also reported a pothole on Carelock Drive that needs repair. Council Member Bivens wished everyone a Merry Christmas.

Mayor Deese asked that each of the council members see Clerk Johnson to obtain an evaluation form for the manager's evaluation. He stated that the council will plan to conduct the evaluation at the January meeting.

Mayor Deese informed the council that a special meeting for a closed session will be called once he hears from the attorneys on Wednesday.

Mayor Deese wished everyone a Merry Christmas.

Adjourn

There being no further comments the meeting adjourned at 8:25 pm.

These minutes approved this 9th day of January, 2017.

By: 

Franklin D. Deese, Mayor

ATTEST:



Tonya D. Johnson, Town Clerk