

**Town of Marshville
Town Council Meeting
Monday, June 2, 2014
Marshville Town Hall – 201 West Main St.**

REGULAR MEETING MINUTES

Council Members Present: Mayor Pro-Tem Virginia Morgan, Council Members Margaret Bivens, Norma Carpenter, Gary Huntley and Jim Rowell. Mayor Deese called to report that he would be absent.

Staff Present: Town Manager, Fern Shubert; Clerk/Finance Officer, Tonya Johnson; Asst. Clerk/Tax Collector, Debbie Morton; Police Chief, Matt Tarlton; Director of Public Works, Bivens Steele; Director of Utilities, Alicia Melton; Officer, Felix Blakney; and Community Development Director, Alan Thifault. Attorney Griffin was absent from the meeting due to scheduled vacation.

Call to Order/Invocation/Pledge of Allegiance

At 7:00 pm Mayor Pro-Tem Morgan called the meeting to order. The invocation was offered by Council Member Gary Huntley. The Pledge of Allegiance was given by everyone.

Public Comment

- Mr. Brian Moore of 317 N. Elm Street, Marshville addressed the council concerning the property located at 404 N. Elm Street. Mr. Moore complained of noise, traffic, hours of operation and public safety. Mr. Moore stated that issues with the property began in March 2014 and that he is documenting and compiling evidence and will continue to do so. Mr. Moore stated that he, as well as others, has taken levels of action but with no affect. Mr. Moore expressed that the Town hasn't fulfilled its obligations to meet him as a resident and pleaded with the council to find a swift, appropriate and civil resolution.
- Mr. Erby Laney of 8919 Hwy. 74 E., Marshville addressed the council concerning restitution for which he feels he is entitled due to the Town's pump station being situated on his property. Mr. Laney emphasized that he will return to each council meeting until this issue is resolved.
- Mr. Mark Traywick of 8216 Hwy. 74 E., Marshville informed the council and those in attendance of a Small Town Main Street meeting on Tuesday, June 3, 2014 from 5:00 until 6:00 pm at the Marshville Community Center. Mr. Traywick stated this will be the final meeting until September 2014. Mr. Traywick encouraged the town's continued participation in the NC Small Town Main Street program.

Consent Agenda

- May 5, 2014 Town Council Minutes - Regular Meeting
- May 19, 2014 Town Council Minutes – Special Meeting
- March 2014 Budget Report
- April 2014 Budget Report
- Budget Amendment 2014-10 – Miscellaneous Revenue for Police Dept. Equipment
- Budget Amendment 2014-11 – Insurance Proceeds for Park Restrooms
- Budget Amendment 2014-12 – Creation of a Powell Bill Department

Council Member Rowell asked for some clarification of the budget amendment creating a Powell Bill Department. The Finance Officer explained that Powell Bill & Streets were combined into one department for FY2013-14. The state requires several Powell Bill reports to be completed at year end and the creation of the Powell Bill department allows for cleaner and easier record keeping for reporting purposes. A motion to approve the consent agenda and the items thereon was made by Council Member Rowell. The motion was seconded by Council Member Carpenter and passed unanimously.

Resolution for Requisition and Check Signatures and Administration of the Town of Marshville's Community Development Block Grant for Economic Development CDBG No. 13-E-2605

The Town Manager explained that the resolution is a housekeeping issue recommended by LKC Engineering. The Finance Officer stated that the purpose for the resolution is to update the signatory cards for the CDBG Economic Development Grant project to reflect Fern Shubert as Town Manager and as an authorized signer for the project. A motion to approve the Resolution for Requisition and Check Signatures and Administration of the Town of Marshville's Community Development Block Grant for Economic Development CDBG No. 13-E-2605 was made by Council Member Rowell, seconded by Council Member Bivens and passed unanimously.

Proclamation Commemorating the 100th Birthday of the Old Marshville Town Hall

The Town Manager commented that the proclamation commemorates both the 100th birthday of the Old Town Hall building and the 2nd anniversary of the Marshville Museum and Cultural Center. The Town Manager credited employee Gwen Bothun for developing the colorful and informative document. A motion to approve the proclamation commemorating the 100th birthday of the Old Marshville Town Hall and the 2nd anniversary of the Marshville Museum and Cultural Center was made by Council Member Bivens. The motion was seconded by Council Member Rowell and passed unanimously.

Discussion and Possible Action Regarding Resolution and 12 Month Lease Agreement for 129 West Main Street

The Town Manager stated that this lease agreement is for Affordable Cleaners and that the tenant has agreed to put up a 16' privacy fence screening the rear of the building to improve the appearance of the property. A motion to approve the resolution and 12 month lease agreement for 129 West Main Street was made by Council Member Huntley. The motion was seconded by Council Member Rowell and passed unanimously.

Discussion and Possible Action Regarding the Contract for Planning Services and the appointment of Richard Flowe as the Town's Planning, Zoning & Subdivision Administrator – N Focus Planning & Design

Mayor Pro-Tem Morgan asked the Manager why the Town should continue the services with N Focus Planning & Design. The Town Manager stated that the Planning Board likes working with Mr. Richard Flowe and that Mr. Flowe is willing to work with the town to assist staff in taking over some of the duties. The Town Manager commented that the contract has been revised to reflect a transition in duties due to the repositioning of the Park Director as the Community Development Director. The savings to the town is estimated to be \$12,390 for FY2014-15. The Town Manager conveyed Mr. Richard Flowe's request to be appointed as the Town's Planning, Zoning & Subdivision Administrator so that he can effectively assist the town. A motion to approve the contract for planning services with N Focus Planning & Design was made by Council Member Bivens. The motion was seconded by Council Member Rowell and passed unanimously. Council Member Bivens amended the motion to include the appointment of Mr. Richard Flowe as the Town's Planning, Zoning & Subdivision Administrator. The amended motion was seconded by Council Member Huntley and passed unanimously.

Discussion and Possible Action Regarding the Contract for Mowing and Landscaping of Town Property – Evergreen Lawn Service

The Town Manager stated that a volunteer has requested to maintain the Veterans' Memorial so that cost is not included in the proposal for mowing and landscaping for FY2014-15. A motion to approve the contract for mowing and landscaping by Evergreen Lawn Service was made by Council Member Rowell. The motion was seconded by Council Member Bivens and passed unanimously.

Discussion and Possible Action Regarding the Contract for Water Tank Management – Southern Corrosion

The Town Manager referenced a contract for Water Tank Management and commented that it is a contract for long-term maintenance. The Town Manager stated that the Public Works staff has worked with this company in the past. Southern Corrosion can also provide assistance to the town regarding the town's cell tower lease agreements as it pertains to the condition of the tank and cell tower equipment. A motion to approve the contract for water tank management by and between Southern Corrosion and the Town of Marshville was made by Council

Member Rowell. The motion was seconded by Council Member Bivens. Council Member Rowell pointed out that a current certificate of insurance should be requested prior to the contract startup. The motion carried with a unanimous vote.

Discussion and Possible Action Regarding a Resolution for Continued Participation in the NC Small Town Main Street Program for FY 2014-2015

The Town Manager recommended the town's continued participation in the NC Small Town Main Street Program. A motion to approve the resolution for continued participation in the NC Small Town Main Street Program was made by Council Member Rowell, seconded by Council Member Carpenter and passed unanimously.

Discussion and Possible Action Concerning the Proposed FY 2014-2015 Budget & Fee Schedule

The Town Manager commented that there are still a lot of moving parts to the budget at this point, especially with regard to rates. She stated that the legislature has voted to eliminate Privilege License Taxes. The Town Manager stated that she has been discussing with staff how the Town of Marshville can be more business friendly as well as how new businesses moving to Marshville can be informed of the town's rules and regulations. The result of these discussions is the idea of a nominal "Compliance Fee". Council Member Rowell asked how much revenue is generated from Privilege License Tax. The Finance Officer stated that approximately \$3,200 has been collected this fiscal year.

Call for Public Hearing for the Proposed FY 2014-2015 Annual Budget and Fee Schedule

Council Member Rowell made a motion to call for a special meeting on Monday, June 16, 2014 at 7:00 pm at Town Hall for the purpose of a public hearing for the proposed FY2014-2015 Budget & Fee Schedule and also to call for a special meeting for Tuesday, June 24, 2014 for adoption of the FY2014-15 Budget & Fee Schedule and any necessary FY2013-14 budget amendments/revisions. The motion was seconded by Council Member Bivens and passed unanimously.

Closed Session (7:50 pm – 7:55 pm)

No action as a result of the closed session.

*Council Member & Town Manager's Comments were left off the agenda. Mayor Pro-Tem Morgan allowed comments at the end of the meeting.

- Council Member Rowell informed the council of the Marshville Summer Fun Fest scheduled for Saturday, June 28, 2014 from 11:00 am until 3:00 pm to coincide with the Old Town Hall and Marshville Museum celebration. Council Member Rowell stated that the only cost to the town will be for the rental of porta-jons.
- Council Member Bivens stated that the town needs to look into an ordinance concerning portable basketball goals. The Town Manager suggested having the local paper do an article on safety issues.
- Council Member Carpenter reported that museum activity is moving along and provided an update concerning the health of Mr. Johnny Pigg. Council Member Carpenter reported that she has also received complaints about the portable basketball goals.
- The Town Manager commended the Town of Marshville staff and stated she is enjoying the job and appreciates the opportunity.

Recess

Council Member Rowell made a motion to recess the meeting to reconvene Monday, June 9, 2014 at 7:00 pm at Town Hall. The motion was seconded by Council Member Carpenter and passed unanimously.

**Reconvened Town Council Meeting
Monday, June 9, 2014, 7:00 pm
Marshville Town Hall – 201 West Main St.**

REGULAR MEETING MINUTES

Council Members Present: Mayor Deese, Mayor Pro-Tem Virginia Morgan, Council Members Margaret Bivens, Norma Carpenter, Gary Huntley and Jim Rowell.

Staff Present: Town Manager, Fern Shubert; Clerk/Finance Officer, Tonya Johnson, Director of Utilities, Alicia Melton; Public Works Director, Bivens Steele; Tax Collector, Debbie Morton; Community Development Director, Alan Thifault; Police Chief, Matt Tarlton and Officer Felix Blakney.

At 7:00 pm Mayor Deese reconvened the meeting that was recessed on Monday, June 2, 2014.

Discussion and Possible Action Concerning the Proposed FY 2014–2015 Budget & Fee Schedule Enterprise Fund - Water and Sewer

The Manager suggested discussing water and sewer rates first and pointed out that the Enterprise Fund has been neglected over the years. The Town now has a consultant's report addressing critical system needs along with a recommendation for a capital reserve fund to aid in the replacement of critical need assets. The minimum amount recommended by the consultant to implement a capital reserve fund would result in an \$11.34 per month increase to the water base rate per customer. Discussion ensued among the council. As a result the Director of Utilities was asked to provide an illustration of monthly utility cost projections with a \$5.67 increase, which represents one-half of the recommended \$11.34 increase for water. The Manager informed council members that sewer contract negotiations are under way with Union County and that the current sewer contract called for an annual true-up. This year Union County proposes to raise rates but Anson County has not proposed a rate increase. In the past the decision has been made not to pass along rate increases. However, if the Town doesn't pass along the rate increase the situation of neglect and critical need to the Enterprise Fund will worsen.

The Town Manager referenced a spreadsheet illustrating sewer rate proposals prepared by the Director of Utilities and recommended that the FY2014-2015 Budget and Fee Schedule be based upon the columns highlighted in blue, reflecting a \$3.28 increase to the base rate per month per customer as well as a per 1,000 gallon increase. Council Member Rowell asked if Union County's rate increases provide the Town with additional capacity. Council Member Rowell pointed out that the recommended proposal provides for an \$8.95 per month per customer increase to the base rate. Mayor Deese requested that the Director of Utilities provide updated rate information based upon the discussed \$5.67 increase to the base rate for water.

Mayor Deese questioned the Public Works Director concerning water loss. The Public Works Director stated that staff is trying to keep track of unaccounted for water loss due to leaks, water main breaks, etc. The Public Works Director stated he doesn't believe that the town has a major water loss problem. The Manager commented that part of the problem can be attributed to old lines and old meters.

Mayor Deese questioned the Union County sewer rate increase and where the figures came from and if there is a possibility the increase will be more or less than \$36,628. The Manager explained that the increase may be less but what is being presented is worst case scenario. Council Member Bivens asked if the town has any other options. Mayor Deese explained that Anson County can handle what Marshville can send but that Anson County sewer treatment costs more than Union County. Anson County needs line upgrades that they cannot afford.

General Fund Revenues

The Manager reviewed General Fund revenues and commented that Privilege Licenses has been removed. The N.C. Legislature repealed the tax after 2014-2015. Mayor Deese asked if businesses are complaining about paying Privilege License taxes and commented that he doesn't think that would prevent a business from coming to Marshville. Council Member Bivens expressed that the town should not do away with Privilege License tax. Council Member Carpenter stated that the town could charge for Privilege License tax for one more year. Mayor Deese stated that the council needs to do away with the tax or leave it as is for another year. The consensus of the council was to direct staff to incorporate Privilege License taxes back into the budget.

Mayor Pro-Tem Morgan commented that the cost for cemetery plots should be increased and suggested \$1,250 for residents and \$1,500 for non-residents. Mayor Deese clarified that a person who pays Marshville taxes would pay \$1,250 for a cemetery plot.

Community Development Director, Alan Thifault, discussed facility rental fees and proposed increases for FY2014-15. The proposed fee for the picnic shelter is \$50 plus a \$50 refundable deposit for residents and nonresidents for three hours. The proposed fee for ball field #1 is \$50 for three hours. The proposed fee for the Community Center is \$75 plus a \$50 refundable deposit for residents and nonresidents for three hours. The proposed fee for non-profit, civic or community organization meetings is \$20 plus a \$25 refundable deposit for a two hour maximum. It was discussed and determined that any town sponsored use of the Community Center will be at no charge. Discussion ensued about various groups and fees. Mayor Deese cautioned the council of the need to be consistent and not show favoritism. Staff was directed to amend the proposed draft of the FY2014-15 Budget and Fee Schedule to reflect the rate increases for facility rental fees as proposed by the Community Development Director.

The Finance Officer provided a correction to the amount budgeted for Property Leases to reflect an amendment to the tower lease agreement with AT&T resulting in \$12,000 per year of additional revenue to the town.

Enterprise Fund Revenues

The Director of Utilities provided information to the council explaining capacity fees. The town does not currently charge a capacity fee. A capacity fee is a one-time fee for a user's portion of the town's infrastructure. Mayor Deese clarified that a capacity fee would be applicable to new construction and pointed out that there is a cost to doing business. Staff was directed to include capacity fees in the FY2014-15 Budget and Fee Schedule.

Department 4100 – Governing Body

Council Member Rowell questioned the appropriation to the Beaver Lane Volunteer Fire Department. The Clerk/Finance Officer explained that last year the fire department requested \$20,000. The former Manager recommended \$18,000 but the consensus of the council was to appropriate the full \$20,000. This year's appropriation is the same amount that was requested last year.

Council Member Rowell stated that the Marshville Chamber of Commerce questioned why an appropriation decreased from \$3,000 in prior years to \$1,000 last year and requested that the donation to the Marshville Chamber for the Boll Weevil event be increased to \$3,000 for FY2014-15.

Mayor Deese commented that he thinks it is a mistake to do away with council member's pay. If council decides to increase the pay at some time in the future it may give off a negative public perception. Mayor Pro-Tem Morgan recommended council member's pay be set at \$25 per member per called meeting. Council Member Huntley recommended that council's pay be left as it is. Mayor Deese stated that a council member can elect to give their wages back to the town rather than reduce or eliminate wages. Mayor Pro-Tem Morgan suggested reducing council member's pay in order to put longevity pay back into the budget. The Clerk/Finance Officer stated that the proposed budget includes longevity pay for eligible employees and a reduction in pay for elected officials. The Clerk/Finance Officer informed council that longevity pay is not included in the current Personnel Policy. An amendment to the Personnel Policy would be required to authorize longevity pay. Staff was directed by the council to budget for two meetings per month at the rate of \$25 per meeting.

Department 4500 – Community Development

Line item 10-4500-4503 Contracted Services – Cemetery was reduced from \$14,800 to \$11,960.

Department 5000 – Public Buildings

Council Member Rowell inquired about the old fire truck parked at the public works shed. The Manager was directed to explore options for selling the fire truck.

Department 5600 – Streets & Highways

Council Member Bivens suggested that sidewalks or curb siding be looked into for Elizabeth Street and Carelock Drive.

Department 6200 – Parks & Recreation

Mayor Pro-Tem Morgan stated she would like to see funding in the budget for recreation programs at the park for kids. The Community Development Director estimated the cost of a basketball court to be approximately \$8,000. The Community Development Director was directed to get estimates on the costs for ball courts.

Comments

Council Member Rowell informed council of the Marshville Summer Fun Fest to be held on Saturday, June 28, 2014 from 11 am until 3 pm. The event will include several vendors, a car and tractor show and a DJ. Also, Saturday, June 14, 2014 a bluegrass band will be playing at Music on Main from 1 pm until 5 pm.

Council Member Huntley expressed congratulation to the Class of 2014. He informed council members that he will be unable to attend the June 16, 2014 public hearing.

Adjourn

A motion to adjourn was made by Council Member Bivens. The motion was seconded by Council Member Carpenter and passed unanimously.

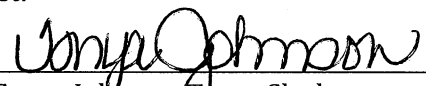
There being no further comments the meeting adjourned at 9:20 pm.

These minutes approved this 7th day of July, 2014.

By: 

Frank Deese, Mayor

Attest:


Tonya Johnson, Town Clerk