



**Town of Marshville  
Town Council Meeting  
Monday, June 6, 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, Fern Shubert; Clerk/Finance Officer, Tonya Johnson; Tax Collector/Asst. Clerk, Debbie Morton; Police Chief, Matt Tarlton; 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**

A motion was made by Council Member Carpenter to add a closed session to the agenda, per NCGS 143-318.11 (a) (6), for a personnel discussion. The motion was seconded by Council Member Bivens and passed by unanimous vote.

Town Manager Shubert requested to add the discussion of transportation related issues to the agenda. After a brief discussion it was decided that this would be included in the Town Manager's Report.

A motion to accept the agenda with the one addition for a closed session was made by Council Member Staton. The motion was seconded by Council Member Bivens and passed unanimously.

#### **Consent Agenda**

Council Member Carpenter commented that staff should begin contract reviews earlier next year in order to allow time to receive bids for services. This was the consensus of the other council members. Mayor Deese pointed out that some of the town's contracts don't reflect the diversity of the community. A motion to adopt the consent agenda and the items thereon was made by Council Member Rowell. The motion was seconded by Council Member Carpenter and passed by unanimous vote.

#### **Appointment and Swearing in of ABC Board Members**

Council Member Rowell made a motion to appoint Mr. Olin Marsh to the Marshville ABC Board. The motion was seconded by Council Member Staton and passed by unanimous vote. Mayor Deese administered oaths of office to Ms. Patricia Gauthier and Mr. Olin Marsh, appointees to the Marshville ABC Board.

#### **Amend Exhibit B (1) of Chapter 75: Traffic Schedules, Schedule I. Trucks Prohibited – *The amendment to Exhibit B (1) provides clarification and a more detailed explanation of the types of trucks/trailers that are prohibited***

Town Manager Shubert stated that this amendment clarifies the ordinance with respect to trucks with certain gross vehicle weights. She also stated that the ordinance does not intend to interfere with trucks stopping to do business. A motion to adopt the ordinance to amend the Town of Marshville Code of Ordinances, Title VII Traffic Code, Chapter 75. Traffic Schedules, Schedule 1. Trucks Prohibited was made by Council Member Rowell. The motion was seconded by Council Member Bivens and passed by unanimous vote.



### **FY2015-16 Budget Revisions/Amendments**

Council Member Rowell made a motion to adopt the following budget amendments for FY2015-16: BA #2016-12, BA #2016-13, and BA #2016-14. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote.

### **Approval and Authorization of Sewer Inflow Elimination Project Loan Acceptance Documents**

- Resolution 15/16-08 to Accept State Revolving Loan - \$1,015,000
- Funding Offer-and-Acceptance Document
- Standard Conditions for Federal SRF Loans Document
- Federal Identification Number and DUNS Number
- Sales Tax Certification
- Project Budget Ordinance

Town Manager Shubert stated that the town has some really old pipes and we are paying to treat rainwater. The purpose of the loan is to improve sewer operations. It is an interest-free loan in the amount of \$1,015,000. Council Member Rowell made a motion to approve the loan acceptance documents and to authorize the mayor to sign said documents.

Council Member Staton questioned where the money will come from to repay the loan. Council Member Carpenter asked if grant funding could be sought to repay the loan. Mayor Deese explained the purpose of the loan is to seal the system to reduce/eliminate inflow and infiltration of rainwater. Mayor Deese stated that the town may be able to obtain grants to continue to improve the system. Mayor Deese pointed out that property taxes cannot subsidize the Enterprise Fund and that improvements to the system may result in lower fees in the future.

Council Member Staton asked if rates will have to be increased to pay back the loan proceeds. Mayor Deese stated that there is a possibility of a rate increase. However, by borrowing money to improve the system it is his hope that the residents will understand that this council is working to improve the system. Discussion ensued regarding inflow and infiltration problems. Town Manager Shubert pointed out that if proper maintenance had been practiced all along that the system would not be in such a deteriorated condition. She added that she feels lucky that the town was able to get a loan.

Council Member Rowell restated the motion to approve the loan acceptance documents and to authorize the mayor to sign said documents. The motion was seconded by Mayor Pro-Tem Morgan and passed by unanimous vote.

### **Discussion and possible action regarding Memorandum of Participation to Cavanaugh Macdonald Consulting, LLC for a Separation Allowance Actuarial Study**

Tonya Johnson, Finance Officer, explained that according to information received from the auditor, effective for FY2016-17, GASB Statement 73 requires an actuarial study be performed on the Law Enforcement Separation Allowance. This covers officers that have retired from the Town of Marshville and that are receiving Separation Allowance payments. The NCLM offers municipalities the opportunity to pool together to have the studies done at a reduced rate upon the completion of the Memorandum of Participation. A motion to approve the memorandum of participation to participate in the actuarial study was made by Mayor Pro-Tem Morgan. The motion was seconded by Council Member Staton and passed by unanimous vote.

### **Discussion of parking issues on East Union Street**

Council Member Staton commented that parking goes different ways on E. Union Street. She pointed out that it is dangerous when trying to exit the businesses. She reported almost being hit on two occasions. Town Manager Shubert commented that to change the kind of parking may result in fewer parking spaces. Mayor Pro-Tem Morgan commented that she thinks E. Union is a state road. Mayor Deese suggested having a study



done to provide a recommendation. Town Manager Shubert stated that she will contact the Department of Transportation to ask them to look into the matter and she will bring a report back to the council.

### **Town Manager's Report**

Town Manager Shubert reported this has been a busy time. She stated that the town now has a part-time employee, Tommy Kost, who is certified with the state to continue the water/sewer state requirements. Town Manager Shubert stated that the Public Works position needs to be advertised. Mayor Deese asked if a job description is prepared. Town Manager Shubert reported that she will get to it as soon as she can. Mayor Deese commented that this needs to be a priority.

Town Manager Shubert report that Evergreen Lawn Service is a woman-owned business in response to the comment that many of the town's contracts don't reflect the diversity of the community. Council Member Bivens restated that the town needs to bid out services.

Town Manager Shubert distributed an article from The Home News that discusses sewer rates. The manager reviewed a response she prepared to see if the council wishes to make any changes.

Town Manager Shubert referenced the Fee Schedule, particularly planning/zoning fee adjustments. She reported that the Code Enforcement Officer suggested that code enforcement fees be deleted from the schedule. If the town incurs code enforcement fees, the charge should be whatever it actually costs to provide the service. This should be considered when adopting fees.

Town Manager Shubert provided a handout regarding a new Comprehensive Transportation Plan. She reported there will be an open house on Wednesday, August 3, 2016 at the Old Armory Community Center in Monroe, NC.

Town Manager Shubert discussed an article in the Enquirer Journal regarding the bypass and estimated revenue. The reporter used comments from Mayor Rick Becker of Mineral Springs. Town Manager Shubert expressed that it was disrespectful that Mayor Deese was not contacted for input. Council Member Rowell suggested that the elected officials contact the reporter, Ms. Steeves.

### **Mayor and Town Council Member Comments**

Mayor Pro-Tem Morgan complimented Chief Tarlton for assisting the public works department in the absence of a Public Works Director. She also complimented the Small Town Main Street Committee.

Council Member Staton commented that tonight's meeting went well. She commended Chief Tarlton for his desire to help children in Marshville.

Council Member Rowell also commended Chief Tarlton for assisting the public works department. He informed the council that the police officers are doing community service projects around town. Council Member Rowell asked Mayor Deese about the CSX crossings, pointing out that the crossings at Olive Branch Rd. Ext. and Unarco Road are bad.

Council Member Carpenter stated that Sunday will be the 4<sup>th</sup> birthday of the Marshville Museum. There will be a birthday event from 2 – 4 pm that is open to everyone. Council Member Carpenter commended the staff for their hard work and expressed her appreciation. She stated that she is glad that Marshville is getting a bypass.

Council Member Bivens commended the Small Town Main Street Committee. She asked the council to consider sidewalks and curb siding along Carelock and Elizabeth Avenues. Mayor Deese stated that the council is not disregarding Council Member Bivens concern. Council Member Staton commented on the need for a sidewalk to Pilgrim's Pride. Mayor Deese pointed out that the town has a pedestrian plan. He commented that the plan may need to be reviewed and reprioritized. Council Member Bivens stated that the town needs a grant writer.



Mayor Deese stated that due to the state's tier system, Marshville is ineligible for many grants because it is located in Union County.

At 8:12 pm, Council Member Staton made a motion to go into closed session per NCGS 143-318.11 (a) (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting. The motion was seconded by Council Member Bivens and passed by unanimous vote.

### **Closed Session**

#### **Action resulting from the closed session**

There was no action as a result of the closed session

#### **Discussion and possible action concerning beginning a search for a Town Manager**

Discussion ensued among the council members regarding how to proceed in the search for a town manager. It was stated that a search firm has been utilized in the past. Mayor Deese stated that the NC League of Municipalities will assist in finding a "head hunter". Council Member Rowell expressed that engaging a search firm is a waste of town's resources. The council can hire a manager. Mayor Deese polled members of the council regarding utilizing the services of a search firm. Mayor Pro-Tem Morgan, Council Member Staton, Council Member Carpenter and Council Member Bivens were all in favor of hiring a search firm. Council Member Rowell was opposed to hiring a search firm. Mayor Deese volunteered to bring a list of firms to assist with the search for a town manager.

Council Member Carpenter asked about a Public Works Director. Mayor Deese stated that the manager is responsible for personnel.

### **Adjourn**

Council Member Rowell made a motion to adjourn the meeting at 8:27 pm. The motion was seconded by Council Member Staton and passed by unanimous vote.

These minutes approved this 11<sup>th</sup> day of July, 2016.

By: \_\_\_\_\_

Franklin D. Deese, Mayor

ATTEST:

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Tonya D. Johnson, Town Clerk