

**Town of Marshville
Town Council Meeting
Monday, July 1 2013, 7:00 PM
Marshville Town Hall - 201 West Main St.**

REGULAR MEETING MINUTES

Council Members Present: Mayor Franklin Deese, Mayor Pro-Tempore Matthew Jefferson, Council Members Norma Carpenter, Margaret Bivens, Gary Huntley and Dora Bridget

Staff Present: Town Manager, Amanda Reid; Town Clerk/Finance Officer, Tonya Johnson; and Town Attorney, Bobby Griffin

Call to Order/Invocation/Pledge of Allegiance

Mayor Deese called the meeting to order at 7:00 pm and asked that a moment of silence be observed. The Pledge of Allegiance was offered by all in attendance.

Adoption of Agenda for the Meeting

Council Member Carpenter made a motion to add to the agenda the discussion and possible action of a resolution calling for an alcoholic beverage election. The motion was seconded by Council Member Bridget. The vote was 4 to 1 with Mayor Pro-Tem Jefferson opposed. The motion carried. A motion to adopt the agenda with the addition was made by Council Member Carpenter, seconded by Council Member Huntley and passed unanimously.

Public Comment

Mark Traywick of 8216 Hwy. 74 E., Marshville, commented that the North Carolina Small Town Main Street site visit with Ms. Sherry Adams from the NC Department of Commerce was well attended and the feedback was positive.

Erby Laney of 8519 Hwy. 74 E., Marshville, reiterated comments from previous Town Council meetings regarding the pump station on his property and his request for payment. Mayor Deese commented that this matter has been turned over to the Town Attorney.

Consent Agenda

- June 17, 2013 Town Council Meeting Minutes
- June 25, 2013 Town Council Meeting Minutes
- Tax Settlement Report as of June 30, 2013

A motion to approve the consent agenda and the items thereon was made by Council Member Bivens, seconded by Council Member Huntley and passed unanimously.

Public Hearing to receive input regarding a 5 Year Lease Agreement for the town owned property at 201 N. Elm Street

A motion to open the public hearing to receive public input regarding a 5 year lease agreement for the town owned property at 201 N. Elm St. was made by Council Member Bivens, seconded by Council Member Bridget and passed unanimously. The Town Manager stated that the Marshville Museum and Cultural Center have requested five year term at \$1 per year, however it was her understanding that legislatively the town can't lease a property for a period of more than 10 years without it being considered a sale of property. The Town Attorney commented that the town may be able to lease longer than 10 years if the lease is for 1 year and renewed annually or through legislative action. No other comments were heard on the subject. A motion to close the public hearing was made by Council Member Bivens, seconded by Council Member Carpenter and passed unanimously.

A motion to approve a resolution authorizing the execution of a 60 month lease agreement for the town owned property at 201 N. Elm St. and to authorize the Mayor to execute said lease agreement was made by Council Member Bivens, seconded by Council Member Bridget and passed unanimously.

Discussion and possible action regarding the contract for the Town Attorney – Clark, Griffin & McCollum

The Town Manager referenced the agreement in the agenda packet regarding legal services provided by Clark, Griffin & McCollum and reviewed proposed changes to the agreement. The Town Manager requested authorization to execute the revised attorney agreement. Town Attorney, Bobby Griffin clarified that the town attorney is engaged by appointment of the town council per NCGS 160A-173. A motion to reappoint the law firm of Clark, Griffin & McCollum LLP as town attorney and to authorize the Town Manager to execute the agreement was made by Council Member Bivens, seconded by Council Member Huntley and passed unanimously.

Discussion and possible action regarding the contract for Planning Services – N Focus Planning & Design

The Town Manager reviewed a letter from Mr. Richard Flowe as well as the contract for planning & zoning services and code enforcement for fiscal year 2013-2014. The Town Manager updated the Town Council on the progress of the Town Plan 2030 and the Marshville Development Ordinance (MDO). Mayor Deese commented that N-Focus Planning & Design will overhaul the Town's ordinances to ensure they coincide with the Town Plan 2030 asked how long the council would have to review the plan. The Town Manager responded that the Town Council would have as long as necessary to review the plan and ordinance amendments. The Town Attorney stated that there was a sixty day window addressed in the contract that would allow for termination of the agreement for any reason. A motion to approve the contract with N Focus Planning & Design and to authorize the Town Manager to execute the contract was made by Council Member Carpenter, seconded by Council Member Bivens and passed unanimously.

Discussion and possible action regarding the contract for Mowing and Landscaping of Town Property – Evergreen Lawn Service

The Town Manager reported that several complaints had been received by her and staff regarding the service levels with the current contractor and that the cemetery is a continuing concern. The Town Manager stated she has worked with Charlie Boyce, owner of Evergreen Lawn Service, to develop a contract for mowing and landscaping of town property. She stated there is an increase in costs but Mr. Boyce will also provide increased service levels. The contract will the current provider was executed for mowing only. Council Member Bivens added that she has also received complaints and stated she was familiar with Evergreen Lawn Service's work. A motion to approve the contract for mowing and landscaping of town property by Evergreen Lawn Service and to authorize the Town Manager to execute the contract was made by Council Member Bridget, seconded by Council Member Huntley and passed unanimously.

Discussion and possible action regarding a resolution calling for an Alcoholic Beverage Election
Council Member Carpenter stated that this is an election year and the citizens of Marshville should have a choice regarding the sale of alcoholic beverages. She believes there is a need for these things to be in order for future economic development opportunities. Council Member Bivens stated that the Town of Wingate receives a great deal of revenue from the ABC Store. Council Member Bridget commented that adoption of the resolution did not mean that the Town Council was approving mixed drinks, only allowing the citizens to vote on the option. She believes the citizens should have a choice in the matter. A motion to approve a resolution calling for an alcoholic beverage election and to authorize the Mayor to sign said resolution was made by Council Member Carpenter and seconded by Council Member Bivens. The vote passed 4 to 1 with Mayor Pro-Tem Matthew Jefferson opposed.

Town Manager's Report

The Town Manager reported the site visit for the Small Town Main Street program went well and positive comments were made. Notification of designations is planned for mid to late July. She commented on the transition into the new fiscal year effective July 1, 2013 and expressed appreciation for everyone's hard work and patience as many new changes went into effect. The Town Manager stated that her performance evaluation needed to be scheduled and recommended the evaluation be completed at the August 5, 2013 meeting.

Mayor and Town Council Member Comments

Council Member Bivens stated she has received complaints about the mini park on Sturdivant Street and asked if there were plans to fence the park. Mayor Deese stated that improvements are needed in the park. The Town Manager stated that she was not aware of any previous plans to fence the park and that improvements to the area were not budgeted in this fiscal year, however it can be planned for in the future.

Council Member Carpenter stated she felt very proud at the North Carolina Small Town Main Street visit. Mayor Pro-Tem Jefferson agreed that the North Carolina Small Town Main Street visit went well and thanked Mark & Beth Traywick for their work. Council Member Bridget inquired about the North Carolina Small Town Main Street designation. Mayor Pro-Tem Jefferson responded that the designation provided staff to assist the community in revitalization efforts; however they would not complete the work for the town. The Town Manager stated that new signs at some businesses were provided through a grant program established by a local business owner that paid a portion of the costs. Council Member Bridget asked how many local businesses supported North Carolina Small Town Main Street program. Mark Traywick responded that Beth Traywick had a letter signed by all the downtown business owners.

Council Member Huntley wished everyone a happy Independence Day and thanked staff for their work. Council Member Bridget echoed Mr. Huntley's remarks.

Adjourn

A motion to adjourn was made by Council Member Bivens and seconded by Council Member Huntley. The meeting adjourned at 7:50 pm.

These minutes approved this 5th day of August, 2013.

By: _____

Franklin Deese
Mayor

Attest: _____

Tonya D. Johnson
Town Clerk