

**Marshville Town Council Public Hearing for  
Proposed Amendment to Boundary Ordinance for ETJ Area,  
Public Hearing for Assigning Marshville Zoning to the ETJ Area,  
And Regular Town Council Meeting  
7:00 P.M. Monday, May 21, 2007  
Marshville Town Hall  
201 West Main Street, Marshville, NC**

Present: Mayor Franklin D. Deese, Mayor Pro-Tem Dora Bridget, Council Members Ned Beachum, Margaret Bivens, Doug High, Jr., and Gail Kiker, Director of Public Works Bivens Steele, Town Administrator Carl Webber, Park Director Alan Thifault, Police Chief Mike Gaddy, and Town Clerk/Finance Officer Shelley Maness.

Mayor Deese opened the first of two Public Hearings at 7:00 p.m. and welcomed everyone. It was explained that this Public Hearing was to consider a proposed amendment to the Boundary Ordinance for the ETJ area. One property had been excluded from previous consideration as a result of the new property owner not having received proper notification. The hearing was held open for five minutes to allow for the late arrival of anyone wishing to speak. There being no speakers, the hearing was closed at 7:05 p.m.

Mayor Deese opened the second Public Hearing at 7:05 p.m. Mayor Deese explained that this Public Hearing was to consider assigning Marshville Zoning to the ETJ area as recommended by the Planning Board. The hearing was held open for five minutes to allow for the late arrival of anyone wishing to speak. There being no speakers, the hearing was closed at about 7:10 p.m.

Mayor Deese opened the regular council meeting at about 7:10 p.m. and welcomed everyone in attendance. All council members and staff present at the public hearing were also present at the council meeting.

Council Member Bivens gave the invocation. All gave the Pledge of Allegiance.

Public Comments: None.

Department Head Comments:

Park Director Thifault informed Council that things were moving along with the summer camp program with about 30 children registered. PD Thifault stated that, given no objections, he planned to replace his existing obsolete computer using funds currently in the budget. Council Member Kiker commented that the park looks great. Mayor Deese asked if there were any objections regarding the purchase of a new computer. There were none.

DPW Steele said that the contractors for the sewer rehabilitation project came earlier that day to camera the sewer lines for problem areas in the line. DPW Steele also mentioned that Beaver Lane VFD had been testing fire hydrants for pressure and the utilities department had

replaced several fire hydrants as a result of the fire department's findings. Referring to the effects of replacing fire hydrants, DPW Steele said, "you may have noticed stirred up water around town."

Police Chief Gaddy reported that the suspect for the recent murder had been arrested. Chief Gaddy said applications were slow and asked Council to consider revising the personnel ordinance to allow employment of family members so long as they are not in the same department. It was decided the issue would be discussed at the next meeting.

Mayor Deese expressed his appreciation for all department heads and commended the Police Department on a job well done.

Council Member Kiker made motion to add the following three items to the agenda: 1) discuss irrigation system at the Veterans Memorial, 2) consider petition for voluntary annexation, and 3) approve informal bid process for Church Street sidewalk. Vote: All Ayes.

Mayor Pro-Tem Bridget made motion to adopt the agenda as amended, second by Council Member High. Vote: All Ayes.

Mayor Pro-Tem Bridget made motion to adopt the consent agenda, second by Council Member High. Vote: All Ayes.

Agenda Item number 7. Adopt amended Boundary Ordinance for the ETJ area (adds parcel number 02145002 to area of ETJ). TA Webber certified that a notice was mailed on April 9, 2007 to inform the owner that the property would be included in the ETJ area. TA Webber also certified that a notice regarding the assignment of zoning was mailed on May 3, 2007. Council Member High made motion to adopt the amended Boundary Ordinance for the ETJ area, second by Mayor Pro-Tem Bridget. Vote: All Ayes.

Agenda Item number 8. Assign Marshville Zoning to the parcel added to the ETJ area. The zoning assignment to this parcel had been recommended during initial ETJ process as remaining RA-40. Council Member Bivens made motion to assign Marshville zoning to the parcel as recommended by the Planning Board. Vote: All Ayes.

Agenda Item number 9. Discuss irrigation system at Veterans Memorial. Council Member Kiker requested that Council approve installation of an irrigation system at the Veterans Memorial. After discussion, Mayor Pro-Tem Bridget made motion to use funds already in the Parks & Recreation budget to install an irrigation system at the Veterans Memorial, second by Council Member High. Vote: All Ayes.

Mayor Deese called for a five-minute recess at about 7:35 p.m. The meeting was called back to order at about 7:40 p.m.

Agenda Item number 10. Approve informal bid process for Church Street sidewalk. TA Webber explained that the Church Street sidewalk RFP specified standards used by DOT and then highlighted a few key points. Council Member Beachum offered the suggestion to not

have a grass area between the sidewalk and the curb. Mayor Pro-Tem Bridget made motion to accept the terms of the RFP as submitted by TA Webber concerning the Church Street sidewalk, second by Council Member High. Vote: All Ayes.

Agenda Item number 11. Consider petition for voluntary annexation. TA Webber informed Council that a petition for voluntary annexation dated May 1, 2007 was submitted by Earl L. James and appears to be properly executed. TA Webber stated if Council was so inclined, they may move forward with the process by directing the Clerk to investigate and issue a Certificate of Sufficiency. Stating that she was landowner of the adjoining property, Council Member Kiker asked Mr. James, who was present at the meeting, what his intentions were for the use of the land. Mr. James replied that a church would be established on the property. Mayor Deese suggested reserving such questions for the public hearing, if and when that time arrives. At that time, Council Member Kiker could be excused from her role as Council Member and appear before Council as concerned citizen and adjoining landowner. Council Member Bivens made motion to direct the Clerk to investigate and issue a Certificate of Sufficiency, second by Mayor Pro-Tem Bridget. Vote: All Ayes.

Agenda Item number 12. Discuss “Concert in the Park” planned for May 26. PD Thifault discussed the details of the concert pointing out that May 26<sup>th</sup> was the only date the band would be available until after August and that the band is offering the Town a discounted rate since the band members are Marshville residents. PD Thifault had arranged for police presence, concessions and a trailer for the band. More than 1,200 flyers have been distributed. Although not being advertised, a raffle will be held to give away four bicycles and other items donated by local merchants. PD Thifault assured Council that he had sought preapproval from all Council Members and most were receptive to the idea. Council Member Bivens announced that she thought this was a great idea and felt that no motion was necessary, but that it was a good idea to have the discussion. TA Webber informed everyone that, after seeing banner ads for the “Concert in the Park”, another band called with a request to perform in the future. Mayor Deese stated that it seemed to be the general consensus of Council to move forward and offered his appreciation to PD Thifault for his initiative.

Agenda Item number 13. Council Member Bivens made motion to adopt the resolution to declare surplus the 1996 Oldsmobile Cutliss, to direct the Town Administrator to dispose of the property by public auction at Hall’s Auction after required public notice, and to approve the notice of sale, second by Council Member Beachum. Vote: All Ayes.

Agenda Item number 14. Budget Discussion. Mayor Deese began the budget discussion and announced that Council should prepare for weekly meetings in June for the purpose of finalizing the budget. TA Webber gave an overview of his preliminary/first draft of the budget, acknowledging that this was not his recommended budget. This draft includes amounts based on recommendations offered by some Council Members and discussions with department heads, as well as pay scale/COLA adjustments in salaries. The budget includes no change in tax, water, sewer or garbage rates and other fees, even as garbage collection costs for the Town increase.

After some discussion of the budget, Mayor Deese encouraged Council to forward any budget recommendations to TA Webber as soon as possible. TA Webber noted that the Town has put “money in the bank” six out of the past seven years and ensured Council that the Town is in a good, strong position for towns this size. TA Webber attributed much credit to department heads not spending significant portions of their budget. It was declared that, according to General Statute, TA Webber would have his recommended budget to the board prior to June 1, 2007. TA Webber added that money is budgeted to take action in regard to abatement code enforcement for the two properties previously determined to be in violation. Mayor Deese inquired if the amount should be increased to allow for enforcement on additional properties. Council Member Bivens noted that there are more properties that need to be considered. TA Webber stated that Council may want to do that.

Council Member Bivens asked about revenues and wanted to know if Powell Bill funds were the Town’s only source and wondered if there were any grant funds. TA Webber replied that no grant funds were anticipated. Mayor Deese concluded the discussion after asking for any final questions or comments.

#### Comments:

Council Member Beachum wanted to know the status of the grant for the fence at the park, stating that the Town may miss a year of tournaments on one field if something is not done soon. TA Webber said that he had not received a formal notice, but reminded Council that the grant was never guaranteed and that there are more issues to be addressed (i.e., lighting) in regards to the referenced ballfield. Council Member High asked that Council consider lighting improvements on Field #1 in the budget. PD Thifault was asked to get cost estimates and bring them to the next meeting.

Council Member Beachum also inquired about the Bost Street property, asking TA Webber had he heard from the property owner regarding possible donation. TA Webber responded that donating the property to the Town is just one option; however, Mr. Chandler was beginning to take some action (i.e., evictions, etc.).

Council Member Bivens gave updates on the goals and accomplishments for both the Beautification and Historic Commissions.

Council Member High, Council Member Kiker and Mayor Pro-Tem Bridget had no comments.

Town Clerk/Finance Officer Maness reported that the auditors had completed their pre-audit work at Town Hall last week and they plan to finalize the audit work sometime in September. TC/FO Maness also stated that she was settling well into her new position and looked forward to serving the Town of Marshville.

TA Webber reported that he has been busy with budget preparation among other things.

Mayor Deese reminded Council that he will still request money in the budget for a wellness center. Mayor Deese informed Council that, in June, he would be attending the same GIS training that TA Webber is currently attending. Mayor Deese concluded his comments by remarking on the success of "A Day in the Park".

Council Member Kiker invited everyone to attend the grand opening of her new fitness center on June 1, 2007.

There being no further business, the meeting was adjourned at approximately 8:50 p.m.

These minutes approved this \_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
Franklin D. Deese  
Mayor

Attest: \_\_\_\_\_  
Shelley Maness  
Town Clerk