

**Town of Marshville  
Town Council Meeting  
Monday, January 3, 2011 at 7:00 PM  
Marshville Community Center – 118 E. Union St.**

**PUBLIC HEARING**

**Consideration of an ordinance to impose a temporary moratorium for electronic gaming operations**

**Followed by:**

**PUBLIC HEARING**

**RZA10-20 Text Amendment to Section 15 of the Marshville Land Use Ordinance to add a definition for farmer's markets**

**Followed by:**

**REGULAR MEETING**

Present: Mayor Deese, Mayor Pro-Tem Margaret Bivens, CM Ned Beachum, CM Dora Bridget, CM Matthew Jefferson, TM Radford Thomas, Clerk/FO Tonya Johnson, DPW Bivens Steele, PD Alan Thifault, Interim Police Chief Matt Tarlton. Also present were Nadene Bennett, CCOG; John Edmonson, *The Home News'* Lacy Hampton, *The Enquirer Journal*; and Attorney Joe McCollum (filling in for Atty. Bobby Griffin).

**Public Hearing**

At 7:00 pm Mayor Deese opened and called to order the public hearing on consideration of an ordinance to impose a temporary moratorium for electronic gaming operations within the Town of Marshville.

Mayor Deese gave ample time for public comments limited to the consideration of a temporary moratorium for electronic gaming operations. TM Radford Thomas commented that the proposed ordinance is based upon a recommendation of the Planning Board.

There being no public comments, Mayor Deese closed public hearing at 7:08 pm.

**Public Hearing**

At 7:08 pm Mayor Deese opened and called to order Public Hearing RZA10-02 Text Amendment to Section 15 of the Marshville Land Use Ordinance. Nadene Bennett, with Centralina Council of Government explained that the reason for the text amendment was to give a specific definition of a farmers' market and to determine what items can be sold at a farmers' market.

Mayor Deese gave ample time for public comments limited to the text change to Section 15 of the Marshville LUO.

There being no public comments, Mayor Deese closed the public hearing at 7:11 pm.

**Regular Meeting**

**Open/Welcome**

Mayor Deese opened the regular town council meeting at 7:11 pm and welcomed everyone in attendance. The invocation was given by CM Ned Beachum. All gave the Pledge of Allegiance.

**Public comments: Limited to 2 minutes per person, 10 minutes total, if any**

None

**Adopt Agenda**

A motion was made by CM Ned Beachum, and seconded by CM Dora Bridget, to adopt the agenda as presented. Vote: All ayes.



**Approve minutes of December 20, 2010 meeting**

A motion was made by Mayor Pro-Tem Margaret Bivens, and seconded by CM Ned Beachum, to approve the minutes of the December 20<sup>th</sup>, 2010 council meeting. Vote: All ayes.

**Approve/adopt an ordinance to impose a temporary moratorium for electronic gaming operations within the Town of Marshville**

TM Radford Thomas commented that the proposed ordinance has been reviewed by the town attorney. A motion was made by Mayor Pro-Tem Margaret Bivens, and seconded by CM Ned Beachum, to adopt an ordinance to impose a temporary moratorium for electronic gaming operations within the Town of Marshville. Vote: All ayes.

**Approve/adopt RZA10-02 Text Amendment to Section 15 of the Marshville LUO**

TM Radford Thomas referenced a memo regarding the proposed text amendment to Section 15 of the Marshville LUO. TM Radford Thomas read the proposed addition to Section 15 of the Marshville LUO as follows, "Farmers' Market: A structure or structures erected for the display and retail sale of fruits, vegetables, flowers, containerized house or bedding plants, herbs and other agricultural food products, such as jam, jelly, vinegar, eggs, cheese, or honey. Retail sales of commercially manufactured products which the farmers have not grown or produced on their farms is not permitted. A Farmers' market is open to the public on pre-established dates." He commented that the language sets a farmer's market apart from a yard sale. A motion was made by CM Matthew Jefferson to adopt RZA10-02 Text Amendment to Section 15 of the Marshville Land Use Ordinance. The motion was seconded by Mayor Pro-Tem Margaret Bivens. Vote: All ayes.

**Committee appointment – appoint council member to serve on the Rocky River RPO Technical Advisory Committee**

TM Radford Thomas conveyed to council members that the seat on the Rocky River RPO Technical Advisory Committee that was previously held by former CM Denise Whitley is now vacant. The vacancy needs to be filled. Mayor Pro-Tem Margaret Bivens commented that as alternate she would fill the vacancy as a committee person. CM Matthew Jefferson made a motion to appoint Mayor Pro-Tem Margaret Bivens to serve on the Rocky River RPO Technical Advisory Committee. The motion was seconded by CM Dora Bridget. Vote: All ayes.

Mayor Pro-Tem Bivens asked if another alternate should be appointed. CM Matthew Jefferson volunteered to serve as an alternate on the committee. A motion was made by CM Ned Beachum to appoint CM Jefferson as alternate on the Rocky River RPO Technical Advisory Committee. Vote: All ayes.

**Comments**

CM Matthew Jefferson gave an update on his work as chairperson on an Economic Development Committee for the Town of Marshville. He stated that he's talked with some business owners to solicit members to serve on the committee. CM Jefferson made reference to Wingate's Comprehensive Plan and his desire to have something similar for Marshville. He stated that the responses when talking to people have been mixed. CM Jefferson named several people that have agreed to work with him on this committee to promote economic development for Marshville. They are: Brian Perry (Gaye Chevrolet), Suzanne Hill (Janet's Florist), Mark Traywick (Traywick Motor Company), Scott Byrum (Byrum Heating/Air), Jackie Horne (Carolina Hardware), and John Edmondson (The Home News). CM Jefferson gave several other names of prospects to serve on this committee.

Clerk/FO Tonya Johnson gave council members a handout received from the NC Department of State Treasurer indicating that the Town's audited financial statements have been reviewed and approved for content and compliance. She also reported to the council that 2010 tax collections for the month of December were \$148,820.37, and collections on Monday, January 3<sup>rd</sup>, 2011 were \$114,576.07. This information was compiled and provided by Tax Collector Debbie Morton.

TM Radford Thomas confirmed a retreat for the council to be held on Thursday, February 24<sup>th</sup>, 2011, at the Community Center. It will run from 8:30 am until 2:00 pm, and will include a light lunch. The facilitator will be David Long.

TM Thomas referenced a letter from the Union County Board of Commissioners desiring to have a joint meeting with each municipality. Mayor Deese and the council feel a joint meeting is a good idea. It was the consensus of the council to direct TM Thomas to write a letter requesting a joint meeting sooner rather than later.

TM Thomas commented that due to the holidays the search for a Police Chief had been delayed. He is gearing back up now that the holidays have passed. He commented that some folks that were lined up to help have had to back out due to other commitments, so he will have to come up with a different approach than originally planned. He stated that we want to find the right individual for the job.

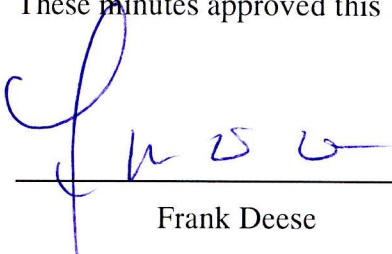
TM Thomas thanked Nadene Bennett for attending the meeting and for her input.


**Adjourn**

A motion to adjourn was made by Mayor Pro-Tem Margaret Bivens, and seconded by CM Ned Beachum.  
Vote: All ayes.

There being no further comments the meeting was adjourned at 7:41 pm.

These minutes approved this 18<sup>th</sup> day of January, 2011.

  
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Frank Deese  
Mayor

Attest:   
\_\_\_\_\_  
Tonya Johnson  
Town Clerk

*\*A brief recess may be called every 45-60 minutes, as desired by Council.*

