

Town of Marshville

Town Council Meeting

Monday, April 4, 2011 at 7:00 PM

Marshville Community Center – 118 E. Union St.

Present: Mayor Pro-Tem Bivens; Council Members Jefferson, Beachum, and Bridget; TM Thomas; Clerk/FO Johnson; DPW Steele; Chief Tarlton; PD Thifault; and Attorney Bobby Griffin. Also present from the press were John Edmondson, *The Home News*, and Lacy Hampton, *The Enquirer Journal*. Diane Dil with CCOG was also present. Mayor Deese was absent due to out-of-town travel.

Open / Welcome

Mayor Pro-Tem Bivens called the meeting to order at 7:05 p.m. and welcomed all those attending.

PUBLIC HEARING

Open and Hold Public Hearing for the Consideration of a Text Change to Amend Sections 15, 146, and 181 of the Marshville Land Use Ordinance

MPT Bivens opened the public hearing. Diane Dil, with CCOG, elaborated on the changes to the sections of the Marshville Land Use Ordinance regarding electronic gaming operations, as proposed by the Planning Board. Diane commented that the amendment to section 15 merely defines what is considered an electronic gaming operation. The amendment to section 146 states that electronic gaming operations are to be located in areas of Marshville that are zoned Highway Commercial. The amendment to section 181 lays out supplemental regulations for electronic gaming operations related to days and hours of operation, number of machines, parking, distance requirements from other establishments including residential neighborhoods, churches, cemeteries, daycares, etc., and licensing and permitting. John Edmondson questioned if this amendment applies to the ETJ area. TM Thomas replied that it does.

Public Comments

There were no public comments.

Close Public Hearing

MPT Bivens closed the public hearing at 7:12 p.m.

REGULAR MEETING

Open / Welcome / Invocation / Pledge of Allegiance

The regular meeting of the Marshville Town Council was opened at 7:12 p.m. by MPT Margaret Bivens. The invocation was given by CM Ned Beachum. All gave the Pledge of Allegiance.

Public Comments

Ernest Lee – 214 West Union Street, Marshville. Mr. Lee spoke to council regarding spring cleaning in Marshville. Mr. Lee commented that he isn't just referring to litter problems and nuisance crimes. He stated that Marshville has a drug problem. He knows who the dealers are and who their customers are. Law enforcement is doing a good job, but he feels the entire community needs to get involved in "cleaning up" Marshville. The community needs to work with law enforcement on this issue. Mr. Lee doesn't feel that drug dealers are being treated harshly enough.

Mary Gillespie – 109 Booker Street, Marshville. Ms. Gillespie stated that her questions/concerns were addressed and she chose not to speak during public comments.

Adopt Agenda

TM Radford Thomas asked for a motion from the council to add to the agenda as Item #14 a request from Olde Tyme Marketplace to close Walters Street on several dates for Sunday at the Marketplace events. A motion to adopt the agenda with the addition of Item #14 was made by CM Dora Bridget, and seconded by CM Ned Beachum. Vote: All ayes

Consent Agenda

A motion to accept the consent agenda, which included the approval of the minutes from the March 21 meeting, the approval of taxes releases for Walco International for \$20.50 and Carolina Wings. LLC for \$45.10, and a tax refund to Curtis Barrino in the amount of \$544.07 due to the demolition of a building on the property changing the tax value was made by CM Ned Beachum, and seconded by CM Dora Bridget. Vote: All ayes

Consideration and Approval of a Text Change to Amend Sections 15, 146, and 181 of the Marshville Land Use Ordinance

CM Matthew Jefferson commended the Planning Board for their diligent work. CM Ned Beachum made a motion to approve Text Amendment RZA11-01 to amend sections 15, 146, and 181 of the Town of Marshville Land Use Ordinance. The motion was seconded by CM Dora Bridget. Vote: All ayes

Approve Amended Budget Amendment 2011-03 for Hwy. 74 E. Water Line Replacement Project

TM Radford Thomas and Clerk/FO Tonya Johnson explained that an account number on the previously approved budget amendment was found to be incorrect. This requested action is merely to correct the general ledger account number to which the appropriation was made. A motion to approve the amended budget amendment 2011-03 was made by CM Dora Bridget and seconded by CM Ned Beachum. Vote: All ayes

Approve Budget Amendment 2011-04 Park Donation for Repair of Ball Field Lights from East Union Athletic Association

TM Radford Thomas informed the council that the ball field lights at the park were repaired at the cost of \$2,900. East Union Athletic Association generously donated \$1,000 toward this expense. The budget amendment is to allocate the donation into the budget for the park. A motion to approve budget amendment 2011-04 was made by CM Dora Bridget and seconded by CM Ned Beachum. Vote: All ayes

Consider Proposal from Cost Analysts Inc. to Perform a Utilities and Telecommunications Audit for the Purpose of Revenue Recovery/Expense Reduction

Clerk/Finance Officer Tonya Johnson referenced a handout in council's agenda packet regarding a proposal from Cost Analysts Inc. She commented that this company performs invoice audits of utilities and telecommunications invoices to determine correct billing and charges in an effort to help customers eliminate utility company billing errors and overcharges. There would be no fee for this service if they find no billing errors. Cost Analysts, Inc. would receive 50% of any refunds/credits obtained due to the audit results. Likewise, when any savings recommendations are implemented as a result of the audit, Cost Analysts, Inc. would receive a 50% share of the savings for the first twenty four months. Clerk/FO Tonya Johnson commented that she inquired with other small towns about utilizing this type of service and the responses were positive. CM Matthew Jefferson and MPT Margaret Bivens had questions/concerns about the audit company's compensation schedule. Staff was instructed by council to look at some other companies that offer this service and bring back a report.

Consideration of Award for Hwy. 74 E. Water Line Replacement Project

TM Radford Thomas referenced the bid tabulation sheet in the agenda packet. He commented that six contractors placed bids ranging from \$208,901.80 to \$300,887.20. Based upon information received from Wes Carter, he recommended we award the bid to RDR Construction from Locust, NC. RDR Construction was the lowest bidder. DPW Bivens Steele commented that Hobbs felt good about all the bidders. He also feels good about their work. TM Radford Thomas stated that the original estimate for the project was \$238,000. A motion to award the Hwy. 74 Water Line Replacement Project to RDR Construction was made by CM Matthew Jefferson and seconded by CM Ned Beachum. Vote: All ayes

The question was raised regarding how soon the project would start. DPW Bivens Steele commented that they will start as soon as we can get the contract ready, probably within thirty days.

Consider a Request from Olde Tyme Marketplace to close Walters Street for several Sunday Marketplace Events

TM Radford Thomas commented that Beth Swanson, owner of Olde Tyme Marketplace is requesting to close off Walters Street on April 10, May 15, June 12, July 17, August 14, September 25, and October 16 for Sunday at the Marketplace events. TM Radford Thomas commented that we have allowed this in the past. This creates some activity in downtown Marshville. He questioned whether or not council should require Mrs. Swanson to have some type of event insurance to cover any issue that may arise during, or as a result of the event. Town Attorney Bobby Griffin commented that if public property will be utilized she should have insurance. TM Radford Thomas commented that he feels she should be required to have insurance coverage since the event is on Town property. Attorney Bobby Griffin suggested that council allow the police department to block off Walters Street at Elm Street and White Street for the event. If council votes to close the street, then action is required to reopen the street. TM Radford Thomas asked if the motion should be contingent upon event insurance coverage. Attorney Bobby Griffin recommended council request event insurance coverage. A motion was made by CM Matthew Jefferson to grant Olde Tyme Marketplace permission to block off

Walters Street at Elm Street and White Street on the requested dates contingent upon proof of insurance coverage. The motion was seconded by MPT Margaret Bivens. Vote: All ayes

Comments

PD Alan Thifault commented that the annual Easter Egg Hunt will be Saturday, April 16, at 2:00 p.m. The Easter Bunny will visit the local schools on Friday, April 15th. He commented that activities at the park are in full swing.

DPW Bivens Steele informed council of a break-in at the meter/storage room. He and his staff are going through the inventory to see what was taken. They worked today on reinforcing the building. TM Radford Thomas commented that he is considering an alarm for the building, as well as a security light. Chief Matt Tarlton commented that the thieves entered by cutting the lock off the door.

CM Matthew Jefferson commented that he and TM Radford Thomas will be attending the Small Town Main Street workshop in N. Wilkesboro on April 5th. He hopes to gain information on how to induce economic development and ways to obtain grant money. He continues to look for a speaker for the Veterans' Day Memorial in Marshville. MPT Margaret Bivens suggested he call Ryan Stafford. CM Matthew Jefferson suggested placing stars at the Veterans' Memorial for those serving that are from Marshville. He also inquired about progress on "yard of the month".

MPT Margaret Bivens commented that she plans to work on getting the "yard of the month" program started back up. She will contact committee members and begin work. CM Dora Bridget suggested some fresh blood on the committee. CM Ned Beachum commented that in the past only about three of the committee members ever showed up. Attorney Bobby Griffin stated that if it's a public meeting the committee has to give notice of the meeting.

Clerk/FO Tonya Johnson informed council that she has now been a fulltime employee of the Town of Marshville for six months. She expressed her pleasure to serve the Town of Marshville.

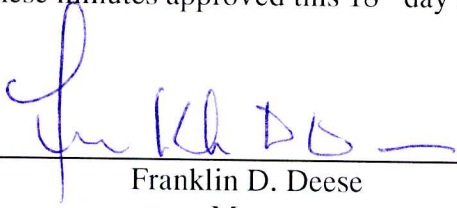
TM Radford Thomas referenced a letter council received from Autumn Care regarding an event on April 11th. He asked that they r.s.v.p. directly to Autumn Care. He reminded council of the NCLM Regional Meeting in Kannapolis on April 7th. He asked that those planning to attend Town Hall day let him know so he can take care of registration. TM Radford Thomas commented on the Small Town Main Street workshop and his hopes for the Town of Marshville to apply to become part of the program. He gave a handout with some updates on the Monroe Connector/Bypass. TM Radford Thomas informed council that revisions are being completed on the community survey. It should be ready for mailing in the very near future. Also, revisions are being made to the Town Code of Ordinances. It will include a section on animal nuisances. Lastly, TM Thomas informed council that the process of hiring a police chief is progressing. He is having background checks performed on several candidates.

Adjourn

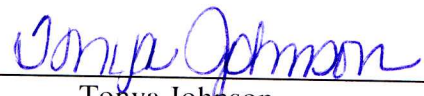
There being no further comments, a motion to adjourn was made by CM Dora Bridget and seconded by CM Ned Beachum. Vote: All ayes

The meeting was adjourned at 8:15 p.m.

These minutes approved this 18th day of April, 2011.



Franklin D. Deese
Mayor

Attest: 

Tonya Johnson
Town Clerk

