



**Town of Marshville
Town Council Regular Meeting**

Tuesday, January 3, 2023 7 PM

Marshville Town Hall

118 East Union Street - Marshville, NC 28103

Present: Mayor Larry Smith; Mayor Pro Tem Ernestine Staton; Council Members Margaret Bivens, Paulette Blakeney, Monaca Marshall, and Gary Huntley

Staff Present: Franklin Deese, Town Manager; Ann Sutton, Town Clerk; Bobby Griffin, Town Attorney; Jonathan Wells, Planning & Zoning Administrator

Call to Order/Invocation/Pledge of Allegiance: Mayor Smith called the meeting to order at 7:00 PM. Council Member Huntley gave the opening prayer. Everyone stood and gave the Pledge of Allegiance.

Public Comments: There were no public comments.

Adoption Agenda: Town Manager Deese said he would like to have the presentation of the storefront decorations contest winners before the public hearing. Town Manager Deese suggested putting it in at 4b of the Consent Agenda. Mayor Smith requested a motion to adopt the meeting Agenda. Council Member Margaret Bivens made the motion. Gary Huntley seconded. All Ayes. The motion passes unanimously.

Consent Agenda

1. Minutes for Approval

- a. December 05, 2022, Regular Meeting Minutes**
- b. December 15, 2022, Special Meeting Minutes**

Presentation of Store Front Decorations Contest: Tracy and Whiney from Ms. Allies are presented as the first-place winners of the 2022 Store Front Decorations Contest.

Public Hearing Meeting Minutes

Open Public Hearing: A motion to open the Public Hearing by Margaret Bivens and Seconded by Monaca Marshall. All Ayes. Motion passed.

Presentation of Information from Staff: Jonathan Wells worked with the planning board on the new language definition for the sign mural.

Town Council Questions and Comments: Paulette Blakeney questioned who should be included in the approval process. Would the council have a part in the approval process of selecting the mural? Mayor Smith asked Mr. Wells how other communities have handled this process.

Mr. Wells initially proposed to the board that the town board would retain the final authority of approval of murals rather than the planning and zoning board. The appeals process would have to be made through the board of adjustment or a court process.

Mayor Smith asked about the mural application process. Mr. Wells said the applicant would give great detail—information like dimension, color, location, design, and message looking to be expressed. If the planning board turns down an applicant, the applicant can come before the town council to appeal for another approval.

Ernestine Staton brought up that there is no town vision or direction for what the mural should be or how to do so. Town Attorney brought up the point that the discussion about the mural's content is challenging to navigate. Mr. Wells said an ordinance would not be able to help with the vision and direction of the mural. Mr. Wells brought up putting a mechanism in place for the town council to advise the planning and zoning board staff. Town Manager Deese questioned if that would taint the appeal process. Mr. Wells said they can set up a process where the planning and zoning staff still have approval authority, including the town council, in reviewing the applications, feedback, and opinions on the murals. Paulette Blakeney asked what can be done if the mural is approved and the work being presented is not what was agreed upon; what can be done? Mr. Wells said there needs to be code enforcement.

Town Manager Deese brought up again the worry of passing the ordinance before the feedback or vision is presented. The town manager asked for a motion to table the discussion until a later day.

Motion to Close Public Hearing: Margaret Bivens motioned to table for a later date. Monaca Marshall seconded. All ayes.

Discussion of the LED Sign and the Museum of Marshville: Mayor Pro tem Ernestine Staton said an individual from the museum committee wished to ask the council about adding their information to the LED sign. The previous discussion has denied the approval of nonprofits posting information on the LED sign.

Discussion and Possible Action on Memorandum of Understanding with C&J Farms of Marshville: Town Manager Deese explained the change to the letter sent to C&J farms regarding a request for a ten ft. wide area for foot traffic not to disturb his crops. C&J farms would pay \$1250 a year to use the land. The first year would be excluded to clear the land for crops. If the town needed to reclaim the ground, they would give as much notice as possible. If there is short notice, the town will pay reimbursement for damages to the crop.

Motion to approve the Memorandum of Understanding with C&J Farms of Marshville: Gary Huntley motions to approve the memorandum. Ernestine Station seconded. Votes 4 to 1.

Call for a Special Meeting for the Purpose of Having a Visionary Workshop on Saturday, January 21, 2023, from 9 am to 4 pm: Town Manager Deese explained that the meeting would be held from 9 am to 4 pm with a break at 1 pm to allow for the attendance of the ribbon cutting ceremony. After the ceremony, the special meeting can reconvene. Margaret Bivens motioned to call a special meeting. Ernestine Staton seconded. All ayes.

Manager Comments:

Town Manager Deese said he is still awaiting the NC Department of Commerce contract. Gary Huntley asked about the MLK breakfast and parade. Manager Deese commented that the breakfast is on January 16th and that he has reached out regarding help securing a vehicle for the parade. Mayor Smith inquired about the park closing. Manager Deese explained that it had been closed with the help of Town Attorney Bobby Griffin.

Council Member Comments:

Council Member Bivens suggested the need for policing trash on the road and signs to be posted along the streets to help dissuade littering.

Council Member Blakeney hoped everyone has a blessed holiday, blessed 2023, and be safe.

Council Member Huntley hoped everyone enjoyed their holidays and wished for everyone to enjoy their upcoming holidays.

Council Member Marshall asked Town Manager to have the Christmas lights checked before being put into storage. Check for repairs.

Mayor Pro Tem Ernestine Staton reminded the council of the work session on January 17, 2023. Staton thanked Frank Deese for his assistance over the holidays to help with a low-pressure issue for a citizen. Staton issued warnings about the running of red lights recently and the need for the police to pay closer attention. She reminded everyone to bring problems or concerns about the streets to the special meeting on January 21, 2023.

Mayor Comments:

Mayor Larry Smith thanked Jeff Carrier and James Clyburn for their years of service and regretted being unable to attend the sendoff. Mayor Smith reminded the council that they are responsible for knowing what is happening in the town. If something needs to be looked at, be sure to bring it to the council's attention. Recent news of a press release for the community and calling for suggestions for events to be held at the center. Mayor Smith comments that the lake is looking good and is excited about more progress. He expressed interest in getting another monitor for the council room and wished to have a follow-up on the newsletter being worked on.

Adjournment

Council Member Bivens made a motion to adjourn the meeting. Mayor Pro Tem Station seconds this. All Ayes.